

House File 2620 - Enrolled

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HOUSE FILE 2620

AN ACT

RELATING TO THE CONDUCT OF ELECTIONS AND VOTER REGISTRATION,
MAKING PENALTIES APPLICABLE, AND INCLUDING EFFECTIVE DATE,
APPLICABILITY DATE, AND TRANSITION PROVISIONS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I

ELECTION OF SCHOOL CORPORATION BOARDS OF DIRECTORS

Section 1. Section 39.24, Code 2007, is amended to read as follows:

39.24 SCHOOL OFFICERS.

Members of boards of directors of community and independent school districts, and boards of directors of merged areas shall be elected at the school election. Their terms of office shall be ~~three~~ four years, except as otherwise provided by section 260C.11 or, 260C.13, 275.23A, 275.37, or 275.37A.

Sec. 2. Section 260C.11, unnumbered paragraph 1, Code 2007, is amended to read as follows:

The governing board of a merged area is a board of directors composed of one member elected from each director district in the area by the electors of the respective district. Members of the board shall be residents of the district from which elected. Successors shall be chosen at the ~~annual~~ regular school elections for members whose terms expire. The term of a member of the board of directors is ~~three~~ four years and commences at the organization meeting. Vacancies on the board shall be filled at the next regular meeting of the board by appointment by the remaining members of the board. A member so chosen shall be a resident of the district in which the vacancy occurred and shall serve until a member is elected pursuant to section 69.12 to fill the vacancy for the balance of the unexpired term. A vacancy is defined in section 277.29. A member shall not serve on the board of directors who is a member of a board of directors of a local school district or a member of an area education agency board.

Sec. 3. Section 260C.12, unnumbered paragraph 1, Code 2007, is amended to read as follows:

The board of directors of the merged area shall organize at the first regular meeting in October ~~of each year following~~ the regular school election. Organization of the board shall

be effected by the election of a president and other officers from the board membership as board members determine. The board of directors shall appoint a secretary and a treasurer who shall each give bond as prescribed in section 291.2 and who shall each receive the salary determined by the board. The secretary and treasurer shall perform duties under chapter 291 and additional duties the board of directors deems necessary. However, the board may appoint one person to serve as the secretary and treasurer. If one person serves as the secretary and treasurer, only one bond is necessary for that person. The frequency of meetings other than organizational meetings shall be as determined by the board of directors but the president or a majority of the members may call a special meeting at any time.

Sec. 4. Section 260C.13, subsection 1, Code 2007, is amended to read as follows:

1. The board of a merged area may change the number of directors on the board and shall make corresponding changes in the boundaries of director districts. Changes shall be completed not later than June 1 ~~for the regular school election to be held the next following September of the year~~ of the regular school election. As soon as possible after adoption of the boundary changes, notice of changes in the director district boundaries shall be submitted by the merged area to the county commissioner of elections in all counties included in whole or in part in the merged area.

Sec. 5. Section 260C.15, subsection 1, Code 2007, is amended to read as follows:

1. Regular elections held ~~annually~~ by the merged area for

3 4 the election of members of the board of directors as required
3 5 by section 260C.11, for the renewal of the twenty and
3 6 one-fourth cents per thousand dollars of assessed valuation
3 7 levy authorized in section 260C.22, or for any other matter
3 8 authorized by law and designated for election by the board of
3 9 directors of the merged area, shall be held on the date of the
3 10 school election as fixed by section 277.1. The election
3 11 notice shall be made a part of the local school election
3 12 notice published as provided in section 49.53 in each local
3 13 school district where voting is to occur in the merged area
3 14 election and the election shall be conducted by the county
3 15 commissioner of elections pursuant to chapters 39 ~~to~~ through
3 16 53 and section 277.20.

3 17 Sec. 6. Section 260C.22, subsection 1, paragraph a, Code
3 18 2007, is amended to read as follows:

3 19 a. In addition to the tax authorized under section
3 20 260C.17, the voters in ~~any a~~ merged area may at the ~~annual~~
3 21 regular school election vote a tax not exceeding twenty and
3 22 one-fourth cents per thousand dollars of assessed value in any
3 23 one year for a period not to exceed ten years for the purchase
3 24 of grounds, construction of buildings, payment of debts
3 25 contracted for the construction of buildings, purchase of
3 26 buildings and equipment for buildings, and the acquisition of
3 27 libraries, for the purpose of paying costs of utilities, and
3 28 for the purpose of maintaining, remodeling, improving, or
3 29 expanding the community college of the merged area. If the
3 30 tax levy is approved under this section, the costs of
3 31 utilities shall be paid from the proceeds of the levy. The
3 32 tax shall be collected by the county treasurers and remitted
3 33 to the treasurer of the merged area as provided in section
3 34 331.552, subsection 29. The proceeds of the tax shall be
3 35 deposited in a separate and distinct fund to be known as the
4 1 voted tax fund, to be paid out upon warrants drawn by the
4 2 president and secretary of the board of directors of the
4 3 merged area district for the payment of costs incurred in
4 4 providing the school facilities for which the tax was voted.

4 5 Sec. 7. Section 273.8, subsections 1 and 7, Code 2007, are
4 6 amended to read as follows:

4 7 1. BOARD OF DIRECTORS. The board of directors of an area
4 8 education agency shall consist of not less than five nor more
4 9 than nine members, each a resident of and elected in the
4 10 manner provided in this section from a director district that
4 11 is approximately equal in population to the other director
4 12 districts in the area education agency. Each director shall
4 13 serve a ~~three-year~~ four-year term which commences at the
4 14 organization meeting.

4 15 7. BOUNDARY LINE CHANGES. To the extent possible the
4 16 board shall provide that changes in the boundary lines of
4 17 director districts of area education agencies shall not
4 18 lengthen or diminish the term of office of a director of an
4 19 area education agency board. Initial terms of office shall be
4 20 set by the board so that as nearly as possible the terms of
4 21 ~~one-third~~ one-half of the members expire ~~annually~~ biennially.

4 22 Sec. 8. Section 273.8, subsection 2, paragraphs a and b,
4 23 Code 2007, are amended to read as follows:

4 24 a. Notice of the election shall be published by the area
4 25 education agency administrator not later than July 15 of the
4 26 ~~odd-numbered year~~ in at least one newspaper of general
4 27 circulation in the director district. The cost of publication
4 28 shall be paid by the area education agency.

4 29 b. A candidate for election to the area education agency
4 30 board shall file a statement of candidacy with the area
4 31 education agency secretary not later than August 15 of the
4 32 ~~odd-numbered year~~, on forms prescribed by the department of
4 33 education. The statement of candidacy shall include the
4 34 candidate's name, address, and school district. The list of
4 35 candidates shall be sent by the secretary of the area
5 1 education agency in ballot form by certified mail to the
5 2 presidents of the boards of directors of all school districts
5 3 within the director district not later than September 1. In
5 4 order for the ballot to be counted, the ballot must be
5 5 received in the secretary's office by the end of the normal
5 6 business day on September 30 or be clearly postmarked by an
5 7 officially authorized postal service not later than September
5 8 29 and received by the secretary not later than noon on the
5 9 first Monday following September 30.

5 10 Sec. 9. Section 273.8, subsection 4, unnumbered paragraph
5 11 1, Code 2007, is amended to read as follows:

5 12 The board of directors of each area education agency shall
5 13 meet and organize at the first regular meeting in October ~~of~~
5 14 ~~each year following the regular school election~~ at a suitable

5 15 place designated by the president. Directors whose terms
5 16 commence at the organization meeting shall qualify by taking
5 17 the oath of office required by section 277.28 at or before the
5 18 organization meeting.

5 19 Sec. 10. Section 274.7, Code 2007, is amended to read as
5 20 follows:

5 21 274.7 DIRECTORS.

5 22 The affairs of each school corporation shall be conducted
5 23 by a board of directors, the members of which in all community
5 24 or independent school districts shall be chosen for a term of
5 25 ~~three~~ four years.

5 26 Sec. 11. Section 275.1, subsections 2 and 5, Code 2007,
5 27 are amended to read as follows:

5 28 2. "Initial board" means the board of a newly reorganized
5 29 district that is selected pursuant to section 275.25 or 275.41
5 30 and functions until the organizational meeting following the
5 31 ~~fourth~~ third regular school election held after the effective
5 32 date of the reorganization.

5 33 5. "Regular board" means the board of a reorganized
5 34 district that begins to function at the organizational meeting
5 35 following the ~~fourth~~ third regular school election held after
6 1 the effective date of the school reorganization, and is
6 2 comprised of members who were elected to the current terms or
6 3 were appointed to replace members who were elected.

6 4 Sec. 12. Section 275.12, subsection 2, Code 2007, is
6 5 amended to read as follows:

6 6 2. The petition filed under subsection 1 shall also state
6 7 the name of the proposed school district and the number of
6 8 directors which may be either five or seven and the method of
6 9 election of the school directors of the proposed district.
6 10 The method of election of the directors shall be one of the
6 11 following optional plans:

6 12 a. Election at large from the entire district by the
6 13 electors of the entire district.

6 14 b. Division of the entire school district into designated
6 15 geographical single director or multi=director subdistricts on
6 16 the basis of population for each director, to be known as
6 17 director districts, each of which ~~director districts~~ shall be
6 18 represented on the school board by one or more directors who
6 19 shall be residents of the director district but who shall be
6 20 elected by the vote of the electors of the entire school
6 21 district. The boundaries of the director districts and the
6 22 area and population included within each district shall be
6 23 such as justice, equity, and the interests of the people may
6 24 require. Changes in the boundaries of director districts
6 25 shall not be made during a period commencing sixty days prior
6 26 to the date of the ~~annual~~ regular school election. ~~Insofar As~~
6 27 ~~far as may be~~ practicable, the boundaries of the districts

6 28 shall follow established political or natural geographical
6 29 divisions.

6 30 c. Election of not more than one-half of the total number
6 31 of school directors at large from the entire district and the
6 32 remaining directors from and as residents of designated
6 33 single-member or multimember director districts into which the
6 34 entire school district shall be divided on the basis of
6 35 population for each director. In such case, all directors
7 1 shall be elected by the electors of the entire school
7 2 district. Changes in the boundaries of director districts
7 3 shall not be made during a period commencing sixty days prior
7 4 to the date of the ~~annual~~ regular school election.

7 5 d. Division of the entire school district into designated
7 6 geographical single director or multi=director subdistricts on
7 7 the basis of population for each director, to be known as
7 8 director districts, each of which ~~director districts~~ shall be
7 9 represented on the school board by one or more directors who
7 10 shall be residents of the director district and who shall be
7 11 elected by the voters of the director district. Place of
7 12 voting in the director districts shall be designated by the
7 13 commissioner of elections. Changes in the boundaries of
7 14 director districts shall not be made during a period
7 15 commencing sixty days prior to the date of the ~~annual~~ regular
7 16 school election.

7 17 e. In districts having seven directors, election of three
7 18 directors at large by the electors of the entire district, ~~one~~
7 19 ~~no more than two~~ at each ~~annual~~ regular school election, and
7 20 election of the remaining directors as residents of and by the
7 21 electors of individual geographic subdistricts established on
7 22 the basis of population and identified as director districts,
7 23 ~~no more than two at each regular school election.~~ Boundaries
7 24 of the subdistricts shall follow precinct boundaries, ~~insofar~~
7 25 ~~as far~~ as practicable, and shall not be changed less than

7 26 sixty days prior to the ~~annual~~ regular school election.
7 27 Sec. 13. Section 275.25, subsection 3, Code 2007, is
7 28 amended to read as follows:
7 29 3. The directors who are elected and qualify to serve
7 30 shall serve until their successors are elected and qualify.
7 31 At the special election, the three newly elected ~~director~~
7 32 directors receiving the most votes shall be elected to serve
7 33 until ~~the director's successor qualifies their successors~~
7 34 qualify after the ~~fourth~~ third regular school election date
7 35 occurring after the effective date of the reorganization+ and
8 1 the two newly elected directors receiving the next largest
8 2 number of votes shall be elected to serve until the directors'
8 3 successors qualify after the ~~third~~ second regular school
8 4 election date occurring after the effective date of the
8 5 reorganization+ and the two newly elected directors receiving
8 6 the next largest number of votes shall be elected to serve
8 7 until the directors' successors qualify after the ~~second~~
8 8 regular school election date occurring after the effective
8 9 date of the reorganization. However, in districts that
8 10 include all or a part of a city of fifteen thousand or more
8 11 population and in districts in which the proposition to
8 12 establish a new corporation provides for the election of seven
8 13 directors, the ~~three~~ newly elected directors receiving the
8 14 ~~most votes shall be elected to serve until the directors'~~
8 15 ~~successors qualify after the fourth regular school election~~
8 16 ~~date occurring after the effective date of the reorganization~~
8 17 timelines specified in this subsection for the terms of office
8 18 apply to the four newly elected directors receiving the most
8 19 votes and then to the three newly elected directors receiving
8 20 the next largest number of votes.

8 21 Sec. 14. Section 275.37, Code 2007, is amended to read as
8 22 follows:
8 23 275.37 INCREASE IN NUMBER OF DIRECTORS.
8 24 At the next succeeding ~~annual~~ regular school election in a
8 25 district where the number of directors has been increased from
8 26 five to seven, and directors are elected at large, there shall
8 27 be elected a director to succeed each incumbent director whose
8 28 term is expiring in that year, and two additional directors.
8 29 Upon organizing as required by section 279.1, either one or
8 30 two of the newly elected ~~director~~ directors who received the
8 31 fewest votes in the election shall be assigned a term of
8 32 ~~either one year or~~ two years if as necessary in order that as
8 33 nearly as possible ~~one-third~~ one-half of the members of the
8 34 board shall be elected ~~each year~~ biennially. If some or all
8 35 directors are elected from director districts, the board shall
9 1 assign terms appropriate for the method of election used by
9 2 the district.

9 3 Sec. 15. Section 275.37A, Code 2007, is amended to read as
9 4 follows:

9 5 275.37A DECREASE IN NUMBER OF DIRECTORS.
9 6 1. A change from seven to five directors shall be effected
9 7 in a district at the first regular school election after
9 8 authorization by the voters in the following manner:

9 9 a. If at the first election in the district there are
9 10 ~~three~~ four terms expiring, ~~one director~~ three directors shall
9 11 be elected. At the second election in that district, if ~~two~~
9 12 three terms are expiring, two directors shall be elected. ~~At~~
9 13 ~~the third election in that district, if there are two terms~~
9 14 ~~expiring, two directors shall be elected.~~

9 15 b. If at the first election there are ~~two~~ three terms
9 16 expiring, ~~no two~~ directors shall be elected. At the second
9 17 election in that district, if ~~two~~ four terms are expiring, ~~two~~
9 18 three directors shall be elected. ~~At the third election in~~
9 19 ~~that district, if there are three terms expiring, three~~
9 20 ~~directors shall be elected, two for three years and one for~~
9 21 ~~one year. The newly elected director who received the fewest~~
9 22 ~~votes in the election shall be assigned a term of one year.~~

9 23 c. If at the first election there are two terms expiring,
9 24 ~~no directors shall be elected. At the second election in that~~
9 25 ~~district, if three terms are expiring, three directors shall~~
9 26 ~~be elected, two for three years and one for two years. The~~
9 27 ~~newly elected director who received the fewest votes in the~~
9 28 ~~election shall be assigned a term of two years. At the third~~
9 29 ~~election in that district, if there are two terms expiring,~~
9 30 ~~two directors shall be elected.~~

9 31 2. If some or all of the directors are elected from
9 32 director districts, the board shall devise a plan to reduce
9 33 the number of members so that as nearly as possible ~~one-third~~
9 34 one-half of the members of the board shall be elected ~~each~~
9 35 year biennially and so that each district will be continuously
10 1 represented.

10 2 Sec. 16. Section 275.38, Code 2007, is amended to read as
10 3 follows:

10 4 275.38 IMPLEMENTING CHANGED METHOD OF ELECTION.

10 5 If change in the method of election of school directors is
10 6 approved at a regular or special school election, the
10 7 directors who were serving unexpired terms or were elected
10 8 concurrently with approval of the change of method shall serve
10 9 out the terms for which they were elected. If the plan
10 10 adopted is that described in section 275.12, subsection 2,
10 11 paragraph ~~"b," "c," "d," or "e," "b," "c," "d," or "e,"~~ the
10 12 board shall at the earliest practicable time designate the
10 13 districts from which residents are to be elected as school
10 14 directors at each of the next ~~three~~ two succeeding ~~annual~~
10 15 regular school elections, arranging so far as possible for
10 16 elections of directors as residents of the respective
10 17 districts to coincide with the expiration of terms of
10 18 incumbent members residing in those districts. If an increase
10 19 in the size of the board from five to seven members is
10 20 approved concurrently with the change in method of election of
10 21 directors, the board shall make the necessary adjustment in
10 22 the manner prescribed in section 275.37, as well as providing
10 23 for implementation of the districting plan under this section.

10 24 Sec. 17. Section 275.41, subsection 3, Code 2007, is
10 25 amended to read as follows:

10 26 3. Prior to the effective date of the reorganization, the
10 27 initial board shall approve a plan that commences at the
10 28 ~~second first~~ regular school election held after the effective
10 29 date of the merger and is completed at the ~~fourth third~~
10 30 regular school election held after the effective date of the
10 31 merger, to replace the initial board with the regular board.
10 32 If the petition specifies a number of directors on the regular
10 33 board to be different from the number of directors on the
10 34 initial board, the plan shall provide that the number
10 35 specified in the petition for the regular board is in place by
11 1 the time the regular board is formed. The plan shall provide
11 2 that as nearly as possible ~~one-third one-half~~ of the members
11 3 of the board shall be elected ~~each year biennially~~, and if a
11 4 special election was held to elect a member to create an odd
11 5 number of members on the board, the term of that member shall
11 6 end at the organizational meeting following the ~~fourth third~~
11 7 regular school election held after the effective date.

11 8 Sec. 18. Section 277.1, Code 2007, is amended to read as
11 9 follows:

11 10 277.1 REGULAR ELECTION.

11 11 The regular election shall be held ~~annually~~ biennially on
11 12 the second Tuesday in September ~~of each odd-numbered year~~ in
11 13 each school district for the election of officers of the
11 14 district and merged area and for the purpose of submitting to
11 15 the voters any matter authorized by law.

11 16 Sec. 19. Section 277.25, Code 2007, is amended to read as
11 17 follows:

11 18 277.25 DIRECTORS IN NEW DISTRICTS.

11 19 At the first election in newly organized districts the
11 20 directors shall be elected as follows:

11 21 1. In districts having three directors, ~~one director two~~
11 22 ~~directors~~ shall be elected for ~~one year, one for two years,~~
11 23 and one for ~~three~~ four years.

11 24 2. In districts having five directors, ~~two three~~ shall be
11 25 elected for ~~one year, two for two years, and one two~~ for ~~three~~
11 26 four years.

11 27 3. In districts having seven directors, ~~two four~~ shall be
11 28 elected for ~~one year, two for two years, and three for three~~
11 29 four years.

11 30 Sec. 20. Section 278.2, unnumbered paragraph 2, Code 2007,
11 31 is amended to read as follows:

11 32 Petitions filed under this section shall be filed with the
11 33 secretary of the school board at least seventy-five days
11 34 before the date of the ~~annual~~ regular school election, if the
11 35 question is to be included on the ballot at that election.
12 1 The petition shall include the signatures of the petitioners,
12 2 a statement of their place of residence, and the date on which
12 3 they signed the petition.

12 4 Sec. 21. EFFECTIVE DATE, APPLICABILITY, AND TRANSITION.

12 5 This division of this Act, being deemed of immediate
12 6 importance, takes effect upon enactment, for purposes of the
12 7 transition from election of directors of community and
12 8 independent school districts, merged areas, and area education
12 9 agencies annually for terms of three years each to the
12 10 staggered election of such directors biennially for terms of
12 11 four years each. This Act shall be applied so that the first
12 12 election at which directors, due to the expiration of

12 13 predecessor director terms, shall be elected to serve regular
12 14 four-year terms is the regular school election held in
12 15 September 2009 or the director district conventions held in
12 16 September 2009.
12 17 The board of directors of each affected school district and
12 18 each merged area and area education agency shall review the
12 19 expiration dates of the terms of office of its directors and
12 20 shall adopt by resolution a plan for shortening or lengthening
12 21 terms of members for the annual school election or director
12 22 district convention held in September 2007 and September 2008
12 23 so that all members whose terms expire at the regular school
12 24 election or director district convention held in September
12 25 2009 will be elected to four-year terms with the remaining
12 26 members of the board having their terms expire at the regular
12 27 school election or director district convention held in
12 28 September 2011. The board shall submit a copy of the
12 29 resolution adopting its plan to the office of the state
12 30 commissioner of elections no later than August 1, 2008. In
12 31 developing the plan, the board of directors shall take into
12 32 consideration the terms for which the members were elected and
12 33 the number of votes the members received in relation to the
12 34 number of votes other candidates received at the applicable
12 35 election or director district convention.

13 1 DIVISION II

13 2 VOTING CENTERS FOR CERTAIN ELECTIONS

13 3 Sec. 22. Section 49.9, Code 2007, is amended to read as
13 4 follows:

13 5 49.9 PROPER PLACE OF VOTING.

13 6 ~~No~~ Except as provided in section 49.11, subsection 1A, a
13 7 person shall not vote in any precinct but that of the person's
13 8 residence.

13 9 Sec. 23. Section 49.11, Code 2007, is amended by adding
13 10 the following new subsection:

13 11 NEW SUBSECTION. 1A. a. Establish voting centers for the
13 12 regular city election, city primary election, city runoff
13 13 election, regular school election, and special elections. Any
13 14 registered voter who is eligible to vote in the regular city
13 15 election may vote at any voting center in the city. Any
13 16 registered voter who is eligible to vote at the regular school
13 17 election may vote at any voting center in the school district.
13 18 Any registered voter who is eligible to vote in a special
13 19 election may vote at any voting center established for that
13 20 special election. For purposes of section 48A.7A, a voting
13 21 center shall be considered the polling place for the precinct
13 22 in which a person resides.

13 23 b. The county commissioner of elections shall designate
13 24 the location of each voting center to be used in the election.

13 25 c. A voting center designated under this subsection is
13 26 subject to the requirements of section 49.21 relating to
13 27 accessibility to persons who are elderly and persons with
13 28 disabilities and relating to the posting of signs. The
13 29 location of each voting center shall be published by the
13 30 county commissioner of elections in the same manner as the
13 31 location of polling places is required to be published.

13 32 d. Pursuant to section 39A.2, subsection 1, paragraph "b",
13 33 subparagraph (3), a person commits the crime of election
13 34 misconduct in the first degree if the person knowingly votes
13 35 or attempts to vote at more than one voting center for the
14 1 same election.

14 2 DIVISION III

14 3 DATES OF SPECIAL ELECTIONS

14 4 Sec. 24. Section 39.2, Code 2007, is amended by adding the
14 5 following new subsection:

14 6 NEW SUBSECTION. 4. Unless otherwise provided by law,
14 7 special elections on public measures are limited to the
14 8 following dates:

14 9 a. For a county, on the day of the general election, on
14 10 the day of the regular city election, on the date of a special
14 11 election held to fill a vacancy in the same county, or on the
14 12 first Tuesday in March, the first Tuesday in May, or the first
14 13 Tuesday in August of each year.

14 14 b. For a city, on the day of the general election, on the
14 15 day of the regular city election, on the date of a special
14 16 election held to fill a vacancy in the same city, or on the
14 17 first Tuesday in March, the first Tuesday in May, or the first
14 18 Tuesday in August of each year.

14 19 c. For a school district or merged area, in the
14 20 odd-numbered year, the first Tuesday in February, the first
14 21 Tuesday in April, the last Tuesday in June, or the second
14 22 Tuesday in September. For a school district or merged area,
14 23 in the even-numbered year, the first Tuesday in February, the

14 24 first Tuesday in April, the second Tuesday in September, or
14 25 the first Tuesday in December.

14 26 Sec. 25. Section 47.6, subsection 1, unnumbered paragraph
14 27 1, Code 2007, is amended to read as follows:

14 28 The governing body of ~~any~~ a political subdivision which has
14 29 authorized a special election to which section 39.2 ~~is~~,
14 30 subsections 1, 2, and 3, are applicable shall by written

14 31 notice inform the commissioner who will be responsible for
14 32 conducting the election of the proposed date of the special
14 33 election. If a public measure will appear on the ballot at
14 34 the special election the governing body shall submit the
14 35 complete text of the public measure to the commissioner with
15 1 the notice of the proposed date of the special election.

15 2 Sec. 26. Section 47.6, Code 2007, is amended by adding the
15 3 following new subsection:

15 4 NEW SUBSECTION. 3. a. A city council or a county board
15 5 of supervisors that has authorized a public measure to be
15 6 submitted to the voters at a special election held pursuant to
15 7 section 39.2, subsection 4, shall file the full text of the
15 8 public measure with the commissioner no later than five p.m.
15 9 on the forty=sixth day before the election.

15 10 b. If there are vacancies in county offices to be filled
15 11 at the special election, candidates shall file their
15 12 nomination papers with the commissioner not later than five
15 13 p.m. on the forty=sixth day before the election.

15 14 c. If there are vacancies in city offices to be filled at
15 15 the special election, candidates shall file their nomination
15 16 papers with the city clerk not later than five p.m. on the
15 17 forty=seventh day before the election. The city clerk shall
15 18 deliver the nomination papers to the commissioner not later
15 19 than five p.m. on the forty=sixth day before the election.

15 20 Candidates for city offices in cities in which a primary
15 21 election may be necessary shall file their nomination papers
15 22 with the city clerk not later than five p.m. on the
15 23 fifty=fourth day before the election. The city clerk shall
15 24 deliver the nomination papers to the commissioner not later
15 25 than five p.m. on the fifty=third day before the election.

15 26 Sec. 27. Section 69.12, subsection 1, paragraph a, Code
15 27 2007, is amended to read as follows:

15 28 a. A vacancy shall be filled at the next pending election
15 29 if it occurs:

15 30 (1) Seventy=four or more days before the election, if it
15 31 is a general election.

15 32 (2) Fifty=two or more days before the election, if it is a
15 33 regularly scheduled or special city election. However, for
15 34 those cities which may be required to hold a primary election,
15 35 the vacancy shall be filled at the next pending election if it
16 1 occurs seventy=three or more days before a regularly scheduled
16 2 city election or fifty-nine or more days before a special city
16 3 election.

16 4 (3) Forty=five or more days before the election, if it is
16 5 a regularly scheduled school election.

16 6 (4) ~~Forty~~ Sixty or more days before the election, if it is
16 7 a special election.

16 8 Sec. 28. Section 69.12, subsection 1, paragraph b,
16 9 subparagraph (2), Code 2007, is amended to read as follows:

16 10 (2) The candidate filing deadline specified in section
16 11 376.4 for ~~a regularly scheduled~~ the regular city election or
16 12 the filing deadline specified in section 372.13, subsection 2,
16 13 for a special city election.

16 14 Sec. 29. Section 75.1, unnumbered paragraph 3, Code 2007,
16 15 is amended to read as follows:

16 16 When a proposition to authorize an issuance of bonds has
16 17 been submitted to the electors under this section and the
16 18 proposal fails to gain approval by the required percentage of
16 19 votes, such proposal, or any proposal which incorporates any
16 20 portion of the defeated proposal, shall not be submitted to
16 21 the electors for a period of six months from the date of such
16 22 regular or special election and may only be submitted on a
16 23 date specified in section 39.2, subsection 4, paragraph "a",
16 24 "b", or "c", as applicable.

16 25 Sec. 30. Section 99F.7, subsection 11, paragraphs a and c,
16 26 Code Supplement 2007, are amended to read as follows:

16 27 a. A license to conduct gambling games on an excursion
16 28 gambling boat in a county shall be issued only if the county
16 29 electorate approves the conduct of the gambling games as
16 30 provided in this subsection. The board of supervisors, upon
16 31 receipt of a valid petition meeting the requirements of
16 32 section 331.306, shall direct the commissioner of elections to
16 33 submit to the registered voters of the county a proposition to
16 34 approve or disapprove the conduct of gambling games on an

16 35 excursion gambling boat in the county. The proposition shall
17 1 be submitted ~~at a general election or at a special an election~~
17 2 ~~called for that purpose held on a date specified in section~~
17 3 ~~39.2, subsection 4, paragraph "a".~~ To be submitted at a
17 4 general election, the petition must be received by the board
17 5 of supervisors at least five working days before the last day
17 6 for candidates for county offices to file nomination papers
17 7 for the general election pursuant to section 44.4. If a
17 8 majority of the county voters voting on the proposition favor
17 9 the conduct of gambling games, the commission may issue one or
17 10 more licenses as provided in this chapter. If a majority of
17 11 the county voters voting on the proposition do not favor the
17 12 conduct of gambling games, a license to conduct gambling games
17 13 in the county shall not be issued.

17 14 c. If a licensee of a pari-mutuel racetrack who held a
17 15 valid license issued under chapter 99D as of January 1, 1994,
17 16 requests a license to operate gambling games as provided in
17 17 this chapter, the board of supervisors of a county in which
17 18 the licensee of a pari-mutuel racetrack requests a license to
17 19 operate gambling games shall submit to the county electorate a
17 20 proposition to approve or disapprove the operation of gambling
17 21 games at pari-mutuel racetracks ~~at a special an election at~~
17 22 ~~the earliest practicable time held on a date specified in~~
17 23 ~~section 39.2, subsection 4, paragraph "a".~~ If the operation
17 24 of gambling games at the pari-mutuel racetrack is not approved
17 25 by a majority of the county electorate voting on the
17 26 proposition at the election, the commission shall not issue a
17 27 license to operate gambling games at the racetrack.

17 28 Sec. 31. Section 145A.7, Code 2007, is amended to read as
17 29 follows:

17 30 145A.7 SPECIAL ELECTION.

17 31 When a protesting petition is received, the officials
17 32 receiving the petition shall call a special election of all
17 33 registered voters of that political subdivision ~~for the~~
17 34 ~~purpose upon the question of approving or rejecting the order~~
17 35 ~~setting out the proposed merger plan. The election shall be~~
18 1 ~~held on a date specified in section 39.2, subsection 4,~~
18 2 ~~paragraph "a" or "b", as applicable.~~ The vote will be taken
18 3 by ballot in the form provided by sections 49.43 to 49.47, and
18 4 the election shall be initiated and held as provided in
18 5 chapter 49. A majority vote of those registered voters voting
18 6 at ~~said the~~ special election shall be sufficient to approve
18 7 the order and thus include the political subdivision within
18 8 the merged area.

18 9 Sec. 32. Section 257.18, subsection 1, Code 2007, is
18 10 amended to read as follows:

18 11 1. An instructional support program that provides
18 12 additional funding for school districts is established. A
18 13 board of directors that wishes to consider participating in
18 14 the instructional support program shall hold a public hearing
18 15 on the question of participation. The board shall set forth
18 16 its proposal, including the method that will be used to fund
18 17 the program, in a resolution and shall publish the notice of
18 18 the time and place of a public hearing on the resolution.
18 19 Notice of the time and place of the public hearing shall be
18 20 published not less than ten nor more than twenty days before
18 21 the public hearing in a newspaper which is a newspaper of
18 22 general circulation in the school district. At the hearing,
18 23 or no later than thirty days after the date of the hearing,
18 24 the board shall take action to adopt a resolution to
18 25 participate in the instructional support program for a period
18 26 not exceeding five years or to direct the county commissioner
18 27 of elections to submit the question of participation in the
18 28 program for a period not exceeding ten years to the registered
18 29 voters of the school district ~~at the next regular school~~
18 30 ~~election or at a special an election held on a date specified~~
18 31 ~~in section 39.2, subsection 4, paragraph "c".~~ If the board

18 32 submits the question at an election and a majority of those
18 33 voting on the question favors participation in the program,
18 34 the board shall adopt a resolution to participate and certify
18 35 the results of the election to the department of management.

19 1 Sec. 33. Section 257.18, subsection 2, unnumbered
19 2 paragraph 1, Code 2007, is amended to read as follows:

19 3 If the board does not provide for an election and adopts a
19 4 resolution to participate in the instructional support
19 5 program, the district shall participate in the instructional
19 6 support program unless within twenty-eight days following the
19 7 action of the board, the secretary of the board receives a
19 8 petition containing the required number of signatures, asking
19 9 that ~~an election be called the question~~ to approve or
19 10 disapprove the action of the board in adopting the

19 11 instructional support program be submitted to the voters of
19 12 the school district. The petition must be signed by eligible
19 13 electors equal in number to not less than one hundred or
19 14 thirty percent of the number of voters at the last preceding
19 15 regular school election, whichever is greater. The board
19 16 shall either rescind its action or direct the county
19 17 commissioner of elections to submit the question to the
19 18 registered voters of the school district at ~~the next following~~
~~19 19 regular school election or a special~~ an election held on a
19 20 date specified in section 39.2, subsection 4, paragraph "c".

19 21 If a majority of those voting on the question at the election
19 22 favors disapproval of the action of the board, the district
19 23 shall not participate in the instructional support program.
19 24 If a majority of those voting on the question favors approval
19 25 of the action, the board shall certify the results of the
19 26 election to the department of management and the district
19 27 shall participate in the program.

19 28 Sec. 34. Section 257.29, unnumbered paragraph 1, Code
19 29 2007, is amended to read as follows:

19 30 An educational improvement program is established to
19 31 provide additional funding for school districts in which the
19 32 regular program district cost per pupil for a budget year is
19 33 one hundred ten percent of the regular program state cost per
19 34 pupil for the budget year and which have approved the use of
19 35 the instructional support program established in section
20 1 257.18. A board of directors that wishes to consider
20 2 participating in the educational improvement program shall
20 3 hold a hearing on the question of participation and the
20 4 maximum percent of the regular program district cost of the
20 5 district that will be used. The hearing shall be held in the
20 6 manner provided in section 257.18 for the instructional
20 7 support program. Following the hearing, the board may direct
20 8 the county commissioner of elections to submit the question to
20 9 the registered voters of the school district at ~~the next~~

~~20 10 following regular school election or a special~~ an election
20 11 held not later than the following February 1 on a date
20 12 specified in section 39.2, subsection 4, paragraph "c". If a
20 13 majority of those voting on the question favors participation
20 14 in the program, the board shall adopt a resolution to
20 15 participate and shall certify the results of the election to
20 16 the department of management and the district shall
20 17 participate in the program. If a majority of those voting on
20 18 the question does not favor participation, the district shall
20 19 not participate in the program.

20 20 Sec. 35. Section 257.29, unnumbered paragraph 5, Code
20 21 2007, is amended to read as follows:

20 22 Once approved at an election, the authority of the board to
20 23 use the educational improvement program shall continue until
20 24 the board votes to rescind the educational improvement program
20 25 or the voters of the school district by majority vote order
20 26 the discontinuance of the program. The board shall ~~call~~
20 27 submit at an election to vote on held on a date specified in
20 28 section 39.2, subsection 4, paragraph "c", the proposition
20 29 whether to discontinue the program upon the receipt of a
20 30 petition signed by not less than one hundred eligible electors
20 31 or thirty percent of the number of electors voting at the last
20 32 preceding school election, whichever is greater.

20 33 Sec. 36. Section 260C.28, subsection 3, Code 2007, is
20 34 amended to read as follows:

20 35 3. If the board of directors wishes to certify for a levy
21 1 under subsection 2, the board shall direct the county
21 2 commissioner of elections to ~~call an election to~~ submit the
21 3 question of such authorization for the board at ~~a regular or~~
~~21 4 special~~ an election held on a date specified in section 39.2,
21 5 subsection 4, paragraph "c". If a majority of those voting on
21 6 the question at the election favors authorization of the board
21 7 to make such a levy, the board may certify for a levy as
21 8 provided under subsection 2 during each of the ten years
21 9 following the election. If a majority of those voting on the
21 10 question at the election does not favor authorization of the
21 11 board to make a levy under subsection 2, the board ~~shall not~~
21 12 may submit the question to the voters again ~~until three~~
~~21 13 hundred fifty-five days have elapsed from the~~ at an election
21 14 held on a date specified in section 39.2, subsection 4,
21 15 paragraph "c".

21 16 Sec. 37. Section 260C.39, unnumbered paragraph 1, Code
21 17 2007, is amended to read as follows:

21 18 Any merged area may combine with any adjacent merged area
21 19 after a favorable vote by the electors of each of the areas
21 20 involved. If the boards of directors of two or more merged
21 21 areas agree to a combination, the question shall be submitted

21 22 to the electors of each area at ~~a special an election to be~~
21 23 ~~held on a date specified in section 39.2, subsection 4,~~
21 24 ~~paragraph "c" and held on the same day in each area. The~~
21 25 ~~special election shall not be held within thirty days of any~~
21 26 ~~general election. Prior to the special election, the board of~~
21 27 each merged area shall notify the county commissioner of
21 28 elections of the county in which the greatest proportion of
21 29 the merged area's taxable base is located who shall publish
21 30 notice of the election according to section 49.53. The two
21 31 respective county commissioners of elections shall conduct the
21 32 election pursuant to the provisions of chapters 39 to 53. The
21 33 votes cast in the election shall be canvassed by the county
21 34 board of supervisors and the county ~~commissioners~~ commissioner
21 35 of elections ~~who conducted the election of each county in the~~
22 1 ~~merged areas~~ shall certify the results to the board of
22 2 directors of each merged area.

22 3 Sec. 38. Section 275.18, unnumbered paragraph 1, Code
22 4 2007, is amended to read as follows:

22 5 When the boundaries of the territory to be included in a
22 6 proposed school corporation and the number and method of the
22 7 election of the school directors of the proposed school
22 8 corporation have been determined as provided in this chapter,
22 9 the area education agency administrator with whom the petition
22 10 is filed shall give written notice of the ~~proposed date of the~~
22 11 election to the county commissioner of elections of the county
22 12 in the proposed school corporation which has the greatest
22 13 taxable base. ~~The proposed date shall be as soon as possible~~

22 14 ~~pursuant to section 39.2, subsections 1 and 2, and section~~
22 15 ~~47.6, subsections 1 and 2, but not later than November 30 of~~
22 16 ~~question shall be submitted to the voters at an election held~~
22 17 ~~on a date specified in section 39.2, subsection 4, paragraph~~
22 18 ~~"c" in the calendar year prior to the calendar year in which~~

22 19 the reorganization will take effect.

22 20 Sec. 39. Section 275.23A, subsection 2, Code 2007, is
22 21 amended to read as follows:

22 22 2. Following each federal decennial census the school
22 23 board shall determine whether the existing director district
22 24 boundaries meet the standards in subsection 1 according to the
22 25 most recent federal decennial census. In addition to the
22 26 authority granted to voters to change the number of directors
22 27 or method of election as provided in sections 275.35, 275.36,
22 28 and 278.1, the board of directors of a school district may,
22 29 following a federal decennial census, by resolution and in
22 30 accordance with this section, authorize a change in the method
22 31 of election as set forth in section 275.12, subsection 2, or a
22 32 change to either five or seven directors after the board
22 33 conducts a hearing on the resolution. If the board proposes
22 34 to change the number of directors from seven to five
22 35 directors, the resolution shall include a plan for reducing
23 1 the number of directors. If the board proposes to increase
23 2 the number of directors to seven directors, two directors
23 3 shall be added according to the procedure described in section
23 4 277.23, subsection 2. If necessary, the board of directors
23 5 shall redraw the director district boundaries. The director
23 6 district boundaries shall be described in the resolution
23 7 adopted by the school board. The resolution shall be adopted
23 8 no earlier than November 15 of the year immediately following
23 9 the year in which the federal decennial census is taken nor
23 10 later than May 15 of the second year immediately following the
23 11 year in which the federal decennial census is taken. A copy
23 12 of the plan shall be filed with the area education agency
23 13 administrator of the area education agency in which the
23 14 school's electors reside. If the board does not provide for
23 15 an election as provided in sections 275.35, 275.36, and 278.1
23 16 and adopts a resolution to change the number of directors or
23 17 method of election in accordance with this subsection, the
23 18 district shall change the number of directors or method of
23 19 election as provided unless, within twenty-eight days
23 20 following the action of the board, the secretary of the board
23 21 receives a petition containing the required number of
23 22 signatures, asking that an election be called to approve or
23 23 disapprove the action of the board in adopting the resolution.
23 24 The petition must be signed by eligible electors equal in
23 25 number to not less than one hundred or thirty percent of the
23 26 number of voters at the last preceding regular school
23 27 election, whichever is greater. The board shall either
23 28 rescind its action or direct the county commissioner of
23 29 elections to submit the question to the registered voters of
23 30 the school district at ~~the next following regular school~~
23 31 ~~election or a special an election held on a date specified in~~
23 32 ~~section 39.2, subsection 4, paragraph "c".~~ If a majority of

23 33 those voting on the question at the election favors
23 34 disapproval of the action of the board, the district shall not
23 35 change the number of directors or method of election. If a
24 1 majority of those voting on the question does not favor
24 2 disapproval of the action, the board shall certify the results
24 3 of the election to the department of management and the
24 4 district shall change the number of directors or method of
24 5 election as provided in this subsection. At the expiration of
24 6 the twenty-eight-day period, if no petition is filed, the
24 7 board shall certify its action to the department of management
24 8 and the district shall change the number of directors or
24 9 method of election as provided in this subsection.

24 10 Sec. 40. Section 275.24, Code 2007, is amended to read as
24 11 follows:

24 12 275.24 EFFECTIVE DATE OF CHANGE.

24 13 When a school district is enlarged, reorganized, or changes
24 14 its boundary pursuant to sections 275.12 to 275.22, the change
24 15 shall take effect on July 1 following the date of the
24 16 reorganization election held pursuant to section 275.18 ~~if the~~
~~24 17 election was held by the prior November 30. Otherwise the~~
~~24 18 change shall take effect on July 1 one year later.~~

24 19 Sec. 41. Section 275.35, unnumbered paragraph 1, Code
24 20 2007, is amended to read as follows:

24 21 ~~Any existing or hereafter created or enlarged~~ A school
24 22 district may change the number of directors to either five or
24 23 seven and may also change its method of election of school
24 24 directors to any method authorized by section 275.12 by
24 25 submission of a proposal, stating the proposed new method of
24 26 election, by the school board of such district to the electors
24 27 ~~at any regular or special school an election held on a date~~
~~24 28 specified in section 39.2, subsection 4, paragraph "c".~~ The

24 29 school board shall notify the county commissioner of elections
24 30 who shall publish notice of the election in the manner
24 31 provided in section 49.53. The election shall be conducted
24 32 pursuant to chapters 39 ~~to~~ through 53 by the county
24 33 commissioner of elections. Such proposal shall be adopted if
24 34 it is approved by a majority of the votes cast on the
24 35 proposition.

25 1 Sec. 42. Section 275.36, unnumbered paragraph 1, Code
25 2 2007, is amended to read as follows:

25 3 If a petition for a change in the number of directors or in
25 4 the method of election of school directors is filed with the
25 5 school board of a school district pursuant to the requirements
25 6 of section 278.2, the school board shall submit such
25 7 proposition to the voters at ~~the regular school an election or~~
~~25 8 a special election held not later than February 1 held on a~~
~~25 9 date specified in section 39.2, subsection 4, paragraph "c".~~

25 10 The petition shall be accompanied by an affidavit as required
25 11 by section 275.13. If a proposition for a change in the
25 12 number of directors or in the method of election of school
25 13 directors submitted to the voters under this section is
25 14 rejected, it shall not be resubmitted to the voters of the
25 15 district in substantially the same form within the next three
25 16 years; if it is approved, no other proposal may be submitted
25 17 to the voters of the district under this section within the
25 18 next six years.

25 19 Sec. 43. Section 275.38, Code 2007, is amended to read as
25 20 follows:

25 21 275.38 IMPLEMENTING CHANGED METHOD OF ELECTION.

25 22 If change in the method of election of school directors is
25 23 approved at ~~a regular or special school an election~~, the
25 24 directors who were serving unexpired terms or were elected
25 25 concurrently with approval of the change of method shall serve
25 26 out the terms for which they were elected. If the plan
25 27 adopted is that described in section 275.12, subsection 2,
25 28 paragraph "b," "c," "d," or "e," ~~"b," "c," "d," or "e,"~~ the
25 29 board shall at the earliest practicable time designate the
25 30 districts from which residents are to be elected as school
25 31 directors at each of the next three succeeding annual school
25 32 elections, arranging so far as possible for elections of
25 33 directors as residents of the respective districts to coincide
25 34 with the expiration of terms of incumbent members residing in
25 35 those districts. If an increase in the size of the board from
26 1 five to seven members is approved concurrently with the change
26 2 in method of election of directors, the board shall make the
26 3 necessary adjustment in the manner prescribed in section
26 4 275.37, as well as providing for implementation of the
26 5 districting plan under this section.

26 6 Sec. 44. Section 275.55, unnumbered paragraphs 1 and 2,
26 7 Code 2007, are amended to read as follows:

26 8 ~~The~~ After the final hearing on the dissolution proposal,

~~26 9 the board of the school district shall call a special election~~
~~26 10 to be held not later than forty days following the date of the~~
~~26 11 final hearing on the dissolution proposal submit the~~
~~26 12 proposition to the voters at an election held on a date~~
~~26 13 specified in section 39.2, subsection 4, paragraph "c". The~~
~~26 14 special election may be held at the same time as the regular~~
~~26 15 school election.~~ The proposition submitted to the voters
26 16 residing in the school district ~~at the special election~~ shall
26 17 describe each separate area to be attached to a contiguous
26 18 school district and shall name the school district to which it
26 19 will be attached. In addition to the description, a map may
26 20 be included in the summary of the question on the ballot.
26 21 The board shall give written notice of the proposed date of
26 22 the election to the county commissioner of elections. ~~The~~
~~26 23 proposed date shall be pursuant to section 39.2, subsections 1~~
~~26 24 and 2 and section 47.6, subsections 1 and 2.~~ The county
26 25 commissioner of elections shall give notice of the election by
26 26 one publication in the same newspaper in which the previous
26 27 notice was published about the hearing, which publication
26 28 shall not be less than four nor more than twenty days prior to
26 29 the election.

26 30 Sec. 45. Section 277.2, Code 2007, is amended by striking
26 31 the section and inserting in lieu thereof the following:
26 32 277.2 ELECTIONS ON PUBLIC MEASURES.
26 33 Unless otherwise stated, the date of an election on a
26 34 public measure authorized to be held by a school district is
26 35 limited to the dates specified in section 39.2, subsection 4,
27 1 paragraph "c".
27 2 Sec. 46. Section 278.1, unnumbered paragraph 2, Code 2007,
27 3 is amended to read as follows:
27 4 The board may, with approval of sixty percent of the
27 5 voters, voting in ~~a regular or special an~~ election in the
27 6 school district, make extended time contracts not to exceed
27 7 twenty years in duration for rental of buildings to supplement
27 8 existing schoolhouse facilities; and where it is deemed
27 9 advisable for buildings to be constructed or placed on real
27 10 estate owned by the school district, these contracts may
27 11 include lease-purchase option agreements, the amounts to be
27 12 paid out of the physical plant and equipment levy fund. ~~The~~
~~27 13 election shall be held on a date specified in section 39.2,~~
~~27 14 subsection 4, paragraph "c".~~

27 15 Sec. 47. Section 279.39, Code 2007, is amended to read as
27 16 follows:
27 17 279.39 SCHOOL BUILDINGS.
27 18 The board of any school corporation shall establish
27 19 attendance centers and provide suitable buildings for each
27 20 school in the district and may at the regular or a special
27 21 meeting ~~call a special election~~ resolve to submit to the
27 22 registered voters of the district ~~at an election held on a~~
~~27 23 date specified in section 39.2, subsection 4, paragraph "c".~~
27 24 the question of voting a tax or authorizing the board to issue
27 25 bonds, or both.

27 26 Sec. 48. Section 297.11, Code 2007, is amended to read as
27 27 follows:
27 28 297.11 USE FORBIDDEN.
27 29 If ~~at any time~~ the voters of such district at a regular
27 30 election forbid such use of any such schoolhouse or grounds,
27 31 the board shall not ~~thereafter~~ permit such use until the ~~said~~
27 32 action of such voters ~~shall have been~~ is rescinded by the
27 33 voters at ~~a regular an election, or at a special election~~
~~27 34 called for that purpose held on a date specified in section~~
~~27 35 39.2, subsection 4, paragraph "c".~~

28 1 Sec. 49. Section 298.9, Code 2007, is amended to read as
28 2 follows:
28 3 298.9 SPECIAL LEVIES.
28 4 If the voter-approved physical plant and equipment levy,
28 5 consisting solely of a physical plant and equipment property
28 6 tax levy, is ~~voted at a special~~ approved by the voters at the
~~28 7 regular school~~ election and certified to the board of
28 8 supervisors after the regular levy is made, the board shall at
28 9 its next regular meeting levy the tax and cause it to be
28 10 entered upon the tax list to be collected as other school
28 11 taxes. If the certification is filed prior to May 1, the
28 12 annual levy shall begin with the tax levy of the year of
28 13 filing. If the certification is filed after May 1 in a year,
28 14 the levy shall begin with the levy of the fiscal year
28 15 succeeding the year of the filing of the certification.

28 16 Sec. 50. Section 298.18, unnumbered paragraphs 4 and 6,
28 17 Code 2007, are amended to read as follows:
28 18 The amount estimated and certified to apply on principal
28 19 and interest for any one year may exceed two dollars and

28 20 seventy cents per thousand dollars of assessed value by the
28 21 amount approved by the voters of the school corporation, but
28 22 not exceeding four dollars and five cents per thousand of the
28 23 assessed value of the taxable property within any school
28 24 corporation, provided that the registered voters of such
28 25 school corporation have first approved such increased amount
28 26 at a special election, which may be held at the same time as
~~28 27 the regular school an election held on a date specified in~~
~~28 28 section 39.2, subsection 4, paragraph "c".~~ The proposition
28 29 submitted to the voters at such ~~special~~ election shall be in
28 30 substantially the following form:

28 31 Notice of the election shall be given by the county
28 32 commissioner of elections according to section 49.53. ~~The~~
~~28 33 election shall be held on a date not less than four nor more~~
~~28 34 than twenty days after the last publication of the notice. At~~
~~28 35 such election the ballot used for the submission of said~~
~~29 1 proposition shall be in substantially the form for submitting~~
~~29 2 special questions at general elections.~~ The county
29 3 commissioner of elections shall conduct the election pursuant
29 4 to the provisions of chapters 39 ~~to through~~ 53 and certify the
29 5 results to the board of directors. ~~Such~~ The proposition shall
29 6 not be deemed carried or adopted unless the vote in favor of
29 7 such proposition is equal to at least sixty percent of the
29 8 total vote cast for and against ~~said~~ the proposition at ~~said~~
29 9 the election. Whenever such a proposition has been approved
29 10 by the voters of a school corporation as hereinbefore
29 11 provided, no further approval of the voters of such school
29 12 corporation shall be required as a result of any subsequent
29 13 change in the boundaries of such school corporation.

29 14 Sec. 51. Section 298.18A, subsection 2, Code 2007, is
29 15 amended to read as follows:

29 16 2. The adjustment shall not result in a total amount
29 17 levied in excess of the two dollar and seventy cent per
29 18 thousand dollars of assessed valuation limit provided in
29 19 section 298.18. An adjustment in excess of the two dollar and
29 20 seventy cent per thousand dollars of assessed valuation limit
29 21 shall be subject to the ~~special~~ election provisions for
29 22 increases of up to four dollars and five cents per thousand
29 23 dollars of assessed valuation provisions of section 298.18.

29 24 Sec. 52. Section 298.21, unnumbered paragraph 1, Code
29 25 2007, is amended to read as follows:

29 26 The board of directors of any school corporation when
29 27 authorized by the voters at ~~the regular an election or at a~~
~~29 28 special election called for that purpose held on a date~~
~~29 29 specified in section 39.2, subsection 4, paragraph "c",~~ may
29 30 issue the negotiable, interest-bearing school bonds of ~~said~~
29 31 the corporation for borrowing money for any or all of the
29 32 following purposes:

29 33 Sec. 53. Section 300.2, unnumbered paragraph 1, Code 2007,
29 34 is amended to read as follows:

29 35 The board of directors of a school district may, and upon
30 1 receipt of a petition signed by eligible electors equal in
30 2 number to at least twenty-five percent of the number of voters
30 3 at the last preceding school election, shall, direct the
30 4 county commissioner of elections to submit to the registered
30 5 voters of the school district the question of whether to levy
30 6 a tax of not to exceed thirteen and one-half cents per
30 7 thousand dollars of assessed valuation for public educational
30 8 and recreational activities authorized under this chapter. ~~If~~
~~30 9 at the time of filing the petition, it is more than three~~
~~30 10 months until the next regular school election, the board of~~
~~30 11 directors shall submit the question at a special election~~
~~30 12 within sixty days. Otherwise, the~~ The question shall be
30 13 submitted at ~~the next regular school an election held on a~~
30 14 date specified in section 39.2, subsection 4, paragraph "c".

30 15 Sec. 54. Section 330.17, unnumbered paragraph 1, Code
30 16 2007, is amended to read as follows:

30 17 The council of any city or county which owns or acquires an
30 18 airport may, and upon the council's receipt of a valid
30 19 petition as provided in section 362.4, or receipt of a
30 20 petition by the board of supervisors as provided in section
30 21 331.306 shall, ~~at a regular city election or a general~~
~~30 22 election if one is to be held within seventy-four days from~~
~~30 23 the filing of the petition, or otherwise at a special an~~
30 24 election called for that purpose held on a date specified in
30 25 section 39.2, subsection 4, paragraph "a" or "b", as
30 26 applicable, submit to the voters the question as to whether
30 27 the management and control of the airport shall be placed in
30 28 an airport commission. If a majority of the voters favors
30 29 placing the management and control of the airport in an
30 30 airport commission, the commission shall be established as

30 31 provided in this chapter.

30 32 Sec. 55. NEW SECTION. 331.309 ELECTIONS ON PUBLIC
30 33 MEASURES.

30 34 Unless otherwise stated, the dates of elections on public
30 35 measures authorized in this chapter are limited to those
31 1 specified for counties in section 39.2.

31 2 Sec. 56. Section 346.27, subsection 10, unnumbered
31 3 paragraph 1, Code 2007, is amended to read as follows:

31 4 After the incorporation of an authority, and before the
31 5 sale of any issue of revenue bonds, except refunding bonds,
31 6 the authority shall ~~call an election to decide~~ submit to the
31 7 ~~voters~~ the question of whether the authority shall issue and
31 8 sell revenue bonds. The ballot shall state the amount of the
31 9 bonds and the purposes for which the authority is
31 10 incorporated. All registered voters of the county shall be
31 11 entitled to vote on the question. The question may be
31 12 submitted at ~~a general election or at a special~~ an election
31 13 ~~held on a date specified in section 39.2, subsection 4,~~
31 14 ~~paragraph "a" or "b", as applicable.~~ An affirmative vote of a
31 15 majority of the votes cast on the question is required to
31 16 authorize the issuance and sale of revenue bonds.

31 17 Sec. 57. Section 347.13, subsection 12, unnumbered
31 18 paragraph 1, Code 2007, is amended to read as follows:

31 19 Submit to the voters at ~~any regular or special~~ an election
31 20 ~~held on a date specified in section 39.2, subsection 4,~~
31 21 ~~paragraph "a",~~ a proposition to sell or lease any sites and
31 22 buildings, excepting those described in subsection 11 ~~hereof,~~
31 23 and upon such proposition being carried by a majority of the
31 24 total number of votes cast at such election, may proceed to
31 25 sell such property at either public or private sale, and apply
31 26 the proceeds only for:

31 27 Sec. 58. Section 347.14, subsection 15, unnumbered
31 28 paragraph 1, Code 2007, is amended to read as follows:

31 29 Submit to the voters at ~~a regular or special~~ an election
31 30 ~~held on a date specified in section 39.2, subsection 4,~~
31 31 ~~paragraph "a",~~ a proposition to sell or lease a county public
31 32 hospital for use as a private hospital or as a merged area
31 33 hospital under chapter 145A or to sell or lease a county
31 34 hospital in conjunction with the establishment of a merged
31 35 area hospital. The authorization of the board of hospital
32 1 trustees submitting the proposition may, but is not required
32 2 to, contain conditions which provide for maintaining hospital
32 3 care within the county, for the retention of county public
32 4 hospital employees and staff, and for the continuation of the
32 5 board of trustees for the purpose of carrying out provisions
32 6 of contracts. The property listed in section 347.13,
32 7 subsection 11, may be included in the proposition, but the
32 8 proceeds from the property shall be used for the purposes
32 9 listed in section 347.13, subsection 12, or for the purpose of
32 10 providing health care for residents of the county. Proceeds
32 11 from the sale or lease of the county hospital or other assets
32 12 of the board of trustees shall not be used for the prepayment
32 13 of health care services for residents of the county with the
32 14 purchaser or lessee of the county hospital or to underwrite
32 15 the sale or lease of the county hospital. The proposition
32 16 submitted to the voters of the county shall not be set forth
32 17 at length, but it shall be in substantially the following
32 18 form:

32 19 Sec. 59. Section 347.23, unnumbered paragraph 1, Code
32 20 2007, is amended to read as follows:

32 21 Any hospital organized and existing as a city hospital may
32 22 become a county hospital organized and managed as provided for
32 23 in this chapter, upon a proposition for such purpose being
32 24 submitted to and approved by a majority of the electors of
32 25 both the city in which such hospital is located and of the
32 26 county under whose management it is proposed that such
32 27 hospital be placed, ~~at any general or special election called~~
32 28 ~~for such purpose.~~ The proposition shall be placed upon the
32 29 ballot by the board of supervisors when requested by a
32 30 petition signed by eligible electors of the county equal in
32 31 number to five percent of the votes cast for president of the
32 32 United States or governor, as the case may be, at the last
32 33 general election. The proposition ~~may~~ shall be submitted at
32 34 ~~the next general election or at a special~~ an election ~~called~~
32 35 ~~for that purpose held on a date specified in section 39.2,~~

33 1 ~~subsection 4, paragraph "a".~~ Upon the approval of the
33 2 proposition the hospital, its assets and liabilities, will
33 3 become the property of the county and this chapter will govern
33 4 its future management. The question shall be submitted in
33 5 substantially the following form: "Shall the municipal
33 6 hospital of, Iowa, be transferred to and become the

33 7 property of, and be managed by the county of, Iowa?"

33 8 Sec. 60. Section 347.23A, subsection 1, Code 2007, is
33 9 amended to read as follows:

33 10 1. A hospital established as a memorial hospital under
33 11 chapter 37 or a county hospital supported by revenue bonds and
33 12 organized under chapter 347A may become, in accordance with
33 13 the provisions of this section, a county hospital organized
33 14 and managed as provided for in this chapter. If the hospital
33 15 is established by a city as a memorial hospital, the city must
33 16 be located in the county which will own and manage the
33 17 hospital. A proposition for the change must be submitted to
33 18 and approved by a majority of the electors of the county which
33 19 will own and manage the hospital as provided for in this
33 20 chapter. In addition, if the hospital is a memorial hospital
33 21 organized by a city under chapter 37, the proposition must
33 22 also be approved by a majority of the electors of that city.
33 23 The proposition ~~may~~ shall be submitted to the electors at ~~any~~
~~33 24 general or special an election called by the county board of~~
33 25 ~~supervisors for this purpose and held on a date specified in~~
33 26 ~~section 39.2, subsection 4, paragraph "a".~~

33 27 Sec. 61. NEW SECTION. 362.11 ELECTIONS ON PUBLIC
33 28 MEASURES.

33 29 Unless otherwise stated, the dates of elections on public
33 30 measures authorized in the city code are limited to those
33 31 specified for cities in section 39.2.

33 32 Sec. 62. Section 368.19, unnumbered paragraph 1, Code
33 33 2007, is amended to read as follows:

33 34 The committee shall approve or disapprove the petition or
33 35 plan as amended, within ninety days of the final hearing, and
34 1 shall file its decision for record and promptly notify the
34 2 parties to the proceeding of its decision. If a petition or
34 3 plan is approved, the board shall ~~set a date not less than~~
~~34 4 thirty days nor more than ninety days after approval for a~~
~~34 5 special submit the proposal at an election on the proposal~~
34 6 ~~held on a date specified in section 39.2, subsection 4,~~
34 7 ~~paragraph "a" or "b", whichever is applicable, and the county~~
34 8 commissioner of elections shall conduct the election. In a
34 9 case of incorporation or discontinuance, registered voters of
34 10 the territory or city may vote, and the proposal is authorized
34 11 if a majority of those voting approves it. In a case of
34 12 annexation or severance, registered voters of the territory
34 13 and of the city may vote, and the proposal is authorized if a
34 14 majority of the total number of persons voting approves it.
34 15 In a case of consolidation, registered voters of each city to
34 16 be consolidated may vote, and the proposal is authorized only
34 17 if it receives a favorable majority vote in each city. The
34 18 county commissioner of elections shall publish notice of the
34 19 election as provided in section 49.53 and shall conduct the
34 20 election in the same manner as other special ~~city~~ elections.

34 21 Sec. 63. Section 372.2, subsection 2, unnumbered paragraph
34 22 1, Code 2007, is amended to read as follows:

34 23 Within fifteen days after receiving a valid petition, the
34 24 council shall publish notice of the date that a special ~~city~~
34 25 election will be held to determine whether the city shall
34 26 change to a different form of government. The election date
34 27 shall be ~~not more than sixty days after the publication as~~
~~34 28 specified in section 39.2, subsection 4, paragraph "b". If~~
~~34 29 the next election date specified in that paragraph is more~~
~~34 30 than sixty days after the publication, the council shall~~
34 31 ~~publish another notice fifteen days before the election.~~ The

34 32 notice shall include a statement that the filing of a petition
34 33 for appointment of a home rule charter commission will delay
34 34 the election until after the home rule charter commission has
34 35 filed a proposed charter. Petition requirements and filing
35 1 deadlines shall also be included in the notice.

35 2 Sec. 64. Section 372.3, Code 2007, is amended to read as
35 3 follows:

35 4 372.3 HOME RULE CHARTER.

35 5 If a petition for appointment of a home rule charter
35 6 commission is filed with the city clerk not more than ten days
35 7 after the council has published the first notice announcing
35 8 the date of the special election on adoption of another form
35 9 of government, the special election shall not be held until
35 10 the charter proposed by the home rule charter commission is
35 11 filed. Both forms must be published as provided in section
35 12 372.9 and submitted to the voters at the special election.

35 13 Sec. 65. Section 372.9, subsection 3, Code 2007, is
35 14 amended to read as follows:

35 15 3. The proposed home rule charter must be submitted at a
35 16 special ~~city~~ election on a date ~~selected by the mayor and~~
~~35 17 council specified in section 39.2, subsection 4, paragraph~~

35 18 "b", and in accordance with section 47.6. However, the date
35 19 of the ~~election last publication~~ must be not less than thirty
35 20 nor more than sixty days ~~after before the last publication of~~
35 21 ~~the proposed home rule charter election.~~

35 22 Sec. 66. Section 372.13, subsection 11, unnumbered
35 23 paragraph 1, Code Supplement 2007, is amended to read as
35 24 follows:

35 25 Council members shall be elected according to the council
35 26 representation plans under sections 372.4 and 372.5. However,
35 27 the council representation plan may be changed, by petition
35 28 and election, to one of those described in this subsection.
35 29 Upon receipt of a valid petition, as defined in section 362.4,
35 30 requesting a change to a council representation plan, the
35 31 council shall submit the question at a special ~~city~~ election
35 32 ~~to be held within sixty days.~~ If a majority of the persons
35 33 voting at the special election approves the changed plan, it
35 34 becomes effective at the beginning of the term following the
35 35 next regular city election. If a majority does not approve
36 1 the changed plan, the council shall not submit another
36 2 proposal to change a plan to the voters within the next two
36 3 years.

36 4 Sec. 67. Section 376.2, unnumbered paragraph 2, Code 2007,
36 5 is amended to read as follows:

36 6 Except as otherwise provided by state law or the city
36 7 charter, terms for elective offices are two years. However,
36 8 the term of an elective office may be changed to two or four
36 9 years by petition and election. Upon receipt of a valid
36 10 petition as defined in section 362.4, requesting that the term
36 11 of an elective office be changed, the council shall submit the
36 12 question at a special ~~city~~ election ~~to be held within sixty~~
36 13 ~~days after the petition is received. The special election~~
36 14 ~~shall be held more than ninety days before the regular city~~
36 15 ~~election if the change shall go into effect at the next~~
36 16 ~~regular city election.~~ If a majority of the persons voting at
36 17 the special election approves the changed term, it becomes
36 18 effective at the beginning of the term following the next
36 19 regular city election. If a majority does not approve the
36 20 changed term, the council shall not submit the same proposal
36 21 to the voters within the next four years.

36 22 Sec. 68. Section 423B.1, subsection 5, Code Supplement
36 23 2007, is amended to read as follows:

36 24 5. The county commissioner of elections shall submit the
36 25 question of imposition of a local option tax at ~~a state~~
36 26 ~~general election or at a special an election held at any time~~
36 27 ~~other than the time of a city regular election on a date~~
36 28 ~~specified in section 39.2, subsection 4, paragraph "a".~~ The
36 29 election shall not be held sooner than sixty days after
36 30 publication of notice of the ballot proposition. The ballot
36 31 proposition shall specify the type and rate of tax and in the
36 32 case of a vehicle tax the classes that will be exempt and in
36 33 the case of a local sales and services tax the date it will be
36 34 imposed which date shall not be earlier than ninety days
36 35 following the election. The ballot proposition shall also
37 1 specify the approximate amount of local option tax revenues
37 2 that will be used for property tax relief and shall contain a
37 3 statement as to the specific purpose or purposes for which the
37 4 revenues shall otherwise be expended. If the county board of
37 5 supervisors decides under subsection 6 to specify a date on
37 6 which the local option sales and services tax shall
37 7 automatically be repealed, the date of the repeal shall also
37 8 be specified on the ballot. The rate of the vehicle tax shall
37 9 be in increments of one dollar per vehicle as set by the
37 10 petition seeking to impose the tax. The rate of a local sales
37 11 and services tax shall not be more than one percent as set by
37 12 the governing body. The state commissioner of elections shall
37 13 establish by rule the form for the ballot proposition which
37 14 form shall be uniform throughout the state.

37 15 Sec. 69. Section 423E.2, subsection 2, paragraph a, Code
37 16 Supplement 2007, is amended to read as follows:

37 17 a. Upon receipt by a county board of supervisors of a
37 18 petition requesting imposition of a local sales and services
37 19 tax for infrastructure purposes, signed by eligible electors
37 20 of the whole county equal in number to five percent of the
37 21 persons in the whole county who voted at the last preceding
37 22 state general election, the board shall within thirty days
37 23 direct the county commissioner of elections to submit the
37 24 question of imposition of the tax to the registered voters of
37 25 the whole county ~~at an election held on a date specified in~~
37 26 ~~section 39.2, subsection 4, paragraph "a".~~

37 27 Sec. 70. Section 423E.2, subsection 3, Code Supplement
37 28 2007, is amended to read as follows:

37 29 3. The county commissioner of elections shall submit the
37 30 question of imposition of a local sales and services tax for
37 31 school infrastructure purposes at ~~a state general election or~~
~~37 32 at a special an election held at any time other than the time~~
~~37 33 of a city regular election on a date specified in section~~
37 34 ~~39.2, subsection 4, paragraph "a".~~ The election shall not be
37 35 held sooner than sixty days after publication of notice of the
38 1 ballot proposition. The ballot proposition shall specify the
38 2 rate of tax, the date the tax will be imposed and repealed,
38 3 and shall contain a statement as to the specific purpose or
38 4 purposes for which the revenues shall be expended. The
38 5 content of the ballot proposition shall be substantially
38 6 similar to the petition of the board of supervisors or motions
38 7 of a school district or school districts requesting the
38 8 election as provided in subsection 2, as applicable, including
38 9 the rate of tax, imposition and repeal ~~date~~ dates, and the
38 10 specific purpose or purposes for which the revenues will be
38 11 expended. The dates for the imposition and repeal of the tax
38 12 shall be as provided in subsection 1. The rate of tax shall
38 13 not be more than one percent. The state commissioner of
38 14 elections shall establish by rule the form for the ballot
38 15 proposition which form shall be uniform throughout the state.
38 16 Sec. 71. APPLICABILITY DATE. This division of this Act
38 17 applies to elections held on or after January 1, 2009.

38 18 DIVISION IV

38 19 VOTER REGISTRATION

38 20 Sec. 72. NEW SECTION. 44.18 AFFILIATION ON VOTER
38 21 REGISTRATION FORM.

38 22 1. A nonparty political organization that nominated a
38 23 candidate whose name appeared on the general election ballot
38 24 for a federal office, for governor, or for any other statewide
38 25 elective office in any of the preceding ten years may request
38 26 registration of voters showing their affiliation with the
38 27 nonparty political organization pursuant to this section.

38 28 2. The organization shall file the following documents
38 29 with the state registrar of voters on or before December 1 of
38 30 an even-numbered year:

38 31 a. A petition in the form prescribed by the registrar and
38 32 signed by no fewer than eight hundred fifty eligible electors
38 33 residing in at least five counties in the state. The petition
38 34 shall include the official name of the organization; the
38 35 organization's name as the organization requests it to appear
39 1 on the voter registration form if different from the
39 2 organization's official name; and the name, address, and
39 3 telephone number of the contact person for the organization.
39 4 Each person who signs the petition shall include the person's
39 5 signature, printed name, residence address with house number,
39 6 street name, city, and county, and the date the person signed
39 7 the petition.

39 8 b. A copy of the nonparty political organization's
39 9 articles of incorporation, bylaws, constitution, or other
39 10 document relating to establishment of the organization. Such
39 11 copy shall be certified as a true copy of the original by the
39 12 custodian of the original document.

39 13 c. An application form prescribed by the state registrar
39 14 of voters. The form shall include all of the following:

39 15 (1) The official name of the nonparty political
39 16 organization.

39 17 (2) The name, address, and telephone number of the contact
39 18 person for the organization who is responsible for the
39 19 application.

39 20 (3) The signature of the chief executive officer of the
39 21 organization approving the application.

39 22 (4) The organization's name as the organization requests
39 23 it to appear on the voter registration form if different from
39 24 the organization's official name.

39 25 3. The nonparty political organization's name and its name
39 26 as listed on the voter registration form shall conform to the
39 27 requirements of section 43.121. The registrar shall not
39 28 invalidate the application solely because the registrar finds
39 29 the official name of the organization or the name to be
39 30 included on the voter registration form to be unacceptable.

39 31 If the registrar finds the name to be unacceptable, the
39 32 registrar shall contact the organization and provide
39 33 assistance in identifying an appropriate official name for the
39 34 organization and for identifying the organization on the voter
39 35 registration form. A determination by the registrar that the
40 1 official name or voter registration form name requested is
40 2 acceptable for use within the voter registration system is
40 3 final.

40 4 4. The registrar and the voter registration commission may

40 5 require biennial filings to update contact information.
 40 6 5. Beginning in January 2011, and each odd-numbered year
 40 7 thereafter, the registrar and the voter registration
 40 8 commission may review the number of voters registered as
 40 9 affiliated with a nonparty political organization. If the
 40 10 number of registrants, including both active and inactive
 40 11 voters, is fewer than 150, the commission shall declare the
 40 12 organization to be dormant for purposes of voter registration
 40 13 and may revise the voter registration form and instructions
 40 14 and electronic voter registration system to remove the
 40 15 organization from the list of nonparty political organizations
 40 16 with which a voter may register as affiliated. However, a
 40 17 change shall not be made to the record of political
 40 18 affiliation of individual registrants unless the registrant
 40 19 requests the change.
 40 20 6. If a political party, as defined in section 43.2, fails
 40 21 to receive a sufficient number of votes in a general election
 40 22 to retain status as a political party and the former political
 40 23 party organizes as a nonparty political organization, the
 40 24 organization may request registration of voters showing their
 40 25 affiliation with the organization. A change shall not be made
 40 26 to the record of political party affiliation of individual
 40 27 registrants unless the registrant requests the change.
 40 28 Sec. 73. Section 48A.7A, subsection 1, paragraph b,
 40 29 subparagraph (2), unnumbered paragraph 1, Code Supplement
 40 30 2007, is amended to read as follows:
 40 31 If the photographic identification presented does not
 40 32 contain the person's current address in the precinct, the
 40 33 person shall also present one of the following documents that
 40 34 shows the person's name and current address in the precinct:
 40 35 Sec. 74. Section 48A.7A, subsection 3, Code Supplement
 41 1 2007, is amended to read as follows:
 41 2 3. At any time before election day, and after the deadline
 41 3 for registration in section 48A.9, a person who appears in
 41 4 person at the commissioner's office or at a satellite absentee
 41 5 voting station after the deadline for registration in section
 41 6 48A.9, or whose ballot is delivered to a health care facility
 41 7 pursuant to section 53.22 may register to vote and vote an
 41 8 absentee ballot by following the procedure in this section for
 41 9 registering to vote on election day. A person who wishes to
 41 10 vote in person at the polling place on election day and who
 41 11 has not registered to vote before the deadline for registering
 41 12 in section 48A.9, is required to register to vote at the
 41 13 polling place on election day following the procedure in this
 41 14 section. However, the person may complete the voter
 41 15 registration application at the commissioner's office and,
 41 16 after the commissioner has reviewed the completed application,
 41 17 may present the application to the appropriate precinct
 41 18 election official along with proof of identity and residency.
 41 19 Sec. 75. Section 48A.7A, subsection 4, paragraph b, Code
 41 20 Supplement 2007, is amended to read as follows:
 41 21 b. The form of the written oath required of a person
 41 22 attesting to the identity and residency of the registrant
 41 23 shall read as follows:
 41 24 I, (name of registered voter), do solemnly swear or
 41 25 affirm all of the following:
 41 26 I am a preregistered voter in this precinct or I registered
 41 27 to vote in this precinct today, and a registered voter did not
 41 28 sign an oath on my behalf. I have not signed an oath
 41 29 attesting to the identity and residence of any other person in
 41 30 this election.
 41 31 I am a resident of the ... precinct, ... ward or township,
 41 32 city of, county of, Iowa.
 41 33 I reside at (street address) in (city or
 41 34 township).
 41 35 I personally know (name of registrant), and I
 42 1 personally know that (name of registrant) is a resident
 42 2 of the ... precinct, ward or township, city of,
 42 3 county of, Iowa.
 42 4 I understand that any false statement in this oath is a
 42 5 class "D" felony punishable by no more than five years in
 42 6 confinement and a fine of at least seven hundred fifty dollars
 42 7 but not more than seven thousand five hundred dollars.
 42 8
 42 9 Signature of Registered Voter
 42 10 Subscribed and sworn before me on (date).
 42 11
 42 12 Signature of Precinct Election Official
 42 13 Sec. 76. Section 48A.11, subsection 1, paragraph i, Code
 42 14 Supplement 2007, is amended to read as follows:
 42 15 i. Political party registration affiliation as defined in

42 16 section 43.2 or nonparty political organization affiliation if
42 17 approved for inclusion on the form pursuant to section 44.18.

42 18 Sec. 77. Section 48A.11, subsection 1, paragraph k, Code
42 19 Supplement 2007, is amended by striking the paragraph.

42 20 Sec. 78. Section 48A.12, unnumbered paragraph 1, Code
42 21 2007, is amended to read as follows:

42 22 The mail voter registration form prescribed by the federal
42 23 election assistance commission shall be accepted for voter
42 24 registration in Iowa if all required information is provided,
42 25 if it is signed by the registrant, and if the form is timely
42 26 received.

42 27 Sec. 79. Section 48A.26, subsection 4, Code 2007, is
42 28 amended to read as follows:

42 29 4. If the registrant applied by mail to register to vote
42 30 and did not answer either "yes" or "no" to the question in
42 31 section 48A.11, subsection 3, paragraph "a", the application
42 32 shall be processed, ~~but the registration shall be designated~~
~~42 33 as valid only for elections that do not include candidates for~~
~~42 34 federal offices on the ballot. The acknowledgment shall~~
~~42 35 advise the applicant that the status of the registration is~~
~~43 1 local and the reason for the registration being assigned local~~
~~43 2 status. The commissioner shall enclose a new registration by~~
~~43 3 mail form for the applicant to use. If the original~~
~~43 4 application is received during the twelve days before the~~
~~43 5 close of registration for an election that includes candidates~~
~~43 6 for federal offices on the ballot, the commissioner shall~~
~~43 7 provide the registrant with an opportunity to complete the~~
~~43 8 form before the close of registration. If the application is~~
~~43 9 complete and proper in all other respects and information on~~
~~43 10 the application is verified, as required by section 48A.25A,~~
~~43 11 the applicant shall be registered to vote and sent an~~
~~43 12 acknowledgment.~~

43 13 Sec. 80. Section 48A.27, subsection 2, paragraph b, Code
43 14 2007, is amended to read as follows:

43 15 b. If a registered voter submits a change of name,
43 16 telephone number, or address ~~is submitted~~ under this
43 17 subsection, the commissioner shall not change the political
43 18 party or nonparty political organization affiliation in the
43 19 ~~elector's registered voter's~~ prior registration other than
43 20 that indicated by the ~~elector~~ registered voter.

43 21 Sec. 81. Section 48A.37, subsection 2, Code Supplement
43 22 2007, is amended to read as follows:

43 23 2. Electronic records shall include a status code
43 24 designating whether the records are active, inactive, ~~local,~~
~~43 25 or pending, or canceled.~~ Inactive records are records of
43 26 registered voters to whom notices have been sent pursuant to
43 27 section 48A.28, subsection 3, and who have not returned the
43 28 card or otherwise responded to the notice, and those records
43 29 have been designated inactive pursuant to section 48A.29.
43 30 Inactive records are also records of registered voters to whom
43 31 notices have been sent pursuant to section 48A.26A and who
43 32 have not responded to the notice. ~~Local records are records~~
~~43 33 of applicants who did not answer either "yes" or "no" to the~~
~~43 34 question in section 48A.11, subsection 3, paragraph "a".~~
43 35 Pending records are records of applicants whose applications
44 1 have not been verified pursuant to section 48A.25A. Canceled
44 2 records are records that have been canceled pursuant to
44 3 section 48A.30. All other records are active records. An
44 4 inactive record shall be made active when the registered voter
44 5 votes at an election, registers again, or reports a change of
44 6 name, address, telephone number, or political party or
44 7 organization affiliation. A pending record shall be made
44 8 active upon verification. ~~A local record shall be valid for~~
~~44 9 any election for which no candidates for federal office appear~~
~~44 10 on the ballot. A registrant with only a local record shall~~
~~44 11 not vote in a federal election unless the registrant submits a~~
~~44 12 new voter registration application before election day~~
~~44 13 indicating that the applicant is a citizen of the United~~
~~44 14 States.~~

44 15 Sec. 82. Section 49.74, Code 2007, is amended to read as
44 16 follows:

44 17 49.74 ~~REGISTERED~~ VOTERS ENTITLED TO VOTE AFTER CLOSING
44 18 TIME.

44 19 Every ~~registered~~ voter who is on the premises of the
44 20 voter's precinct polling place at the time the polling place
44 21 is to be closed for any election shall be permitted to vote in
44 22 that election. Wherever possible, when there are persons on
44 23 the premises of a polling place awaiting an opportunity to
44 24 claim their vote at the time the polling place is to be
44 25 closed, the election board shall cause those persons to move
44 26 inside the structure in which the polling place is located and

44 27 shall then shut the doors of the structure and shall not admit
44 28 any additional persons to the polling place for the purpose of
44 29 voting. If it is not feasible to cause persons on the
44 30 premises of a polling place awaiting an opportunity to claim
44 31 their vote at the time the polling place is to be closed to
44 32 move inside the structure in which the polling place is
44 33 located, the election board shall cause those persons to be
44 34 designated in some reasonable manner and shall not receive
44 35 votes after that time from any persons except those ~~registered~~
45 1 voters so designated.

45 2 DIVISION V

45 3 CHALLENGES AND PROVISIONAL VOTING

45 4 Sec. 83. Section 39A.3, subsection 1, paragraph a, Code
45 5 2007, is amended by adding the following new subparagraph:
45 6 NEW SUBPARAGRAPH. (4) Files a challenge containing false
45 7 information under section 48A.14 or 49.79.

45 8 Sec. 84. Section 39A.5, subsection 1, paragraph b,
45 9 subparagraph (3), Code Supplement 2007, is amended by striking
45 10 the subparagraph.

45 11 Sec. 85. Section 48A.14, subsections 3 and 4, Code 2007,
45 12 are amended to read as follows:

45 13 3. A challenge shall contain a statement signed by the
45 14 challenger in substantially the following form: "I am a
45 15 registered voter in (name of county) County, Iowa. I swear or
45 16 affirm that information contained on this challenge is true.
45 17 I understand that knowingly filing a challenge containing
45 18 false information is an aggravated misdemeanor."

45 19 4. A challenge may be filed at any time. A challenge
45 20 filed less than seventy days before a regularly scheduled
45 21 election shall not be processed until after the pending
45 22 election unless the challenge is filed within twenty days of
45 23 the commissioner's receipt of the challenged registrant's
45 24 registration form or notice of change to an existing
45 25 registration. A challenge filed against a person registering
45 26 to vote pursuant to section 48A.7A is considered a challenge
45 27 to a person offering to vote and must be filed under section
45 28 49.79.

45 29 Sec. 86. Section 49.79, subsection 2, paragraph c, Code
45 30 Supplement 2007, is amended to read as follows:

45 31 c. The challenged person is not a resident at the address
45 32 where the person is registered. However, a person who is
45 33 reporting a change of address at the polls on election day
45 34 pursuant to section 48A.27, subsection 2, paragraph "a",
45 35 subparagraph (3), or who is registering to vote pursuant to
46 1 section 48A.7A, shall not be challenged for this reason.

46 2 Sec. 87. Section 49.79, Code Supplement 2007, is amended
46 3 by adding the following new subsections:

46 4 NEW SUBSECTION. 3. a. The state commissioner of
46 5 elections shall prescribe a form to be used for challenging a
46 6 prospective voter at the polls. The form shall include a
46 7 space for the challenger to provide the challenger's printed
46 8 name, signature, address, and telephone number. The form
46 9 shall also contain the following statement signed by the
46 10 challenger: "I am a registered voter in (name of county)
46 11 County, Iowa. I swear or affirm that information contained in
46 12 this challenge is true. I understand that knowingly filing a
46 13 challenge containing false information is an aggravated
46 14 misdemeanor."

46 15 b. The special precinct board shall reject a challenge
46 16 that lacks the name, address, telephone number, and signature
46 17 of the challenger.

46 18 NEW SUBSECTION. 4. A separate written challenge shall be
46 19 made against each prospective voter challenged.

46 20 NEW SUBSECTION. 5. A challenger may withdraw a challenge
46 21 at the polling place on election day or at any time before the
46 22 meeting of the special precinct counting board by notifying
46 23 the commissioner in writing of the withdrawal.

46 24 Sec. 88. Section 49.81, Code 2007, is amended to read as
46 25 follows:

46 26 49.81 PROCEDURE FOR ~~CHALLENGED~~ VOTER TO CAST PROVISIONAL
46 27 BALLOT.

46 28 1. A prospective voter who is prohibited under section
46 29 48A.8, subsection 4, section 49.77, subsection 4, or section
46 30 49.80 from voting except under this section shall be notified
46 31 by the appropriate precinct election official that the voter
46 32 may cast a provisional ballot. If a booth meeting the
46 33 requirement of section 49.25 is not available at that polling
46 34 place, the precinct election officials shall make alternative
46 35 arrangements to insure the ~~challenged~~ voter the opportunity to
47 1 vote in secret. The ~~marked ballot, folded voter shall mark~~
47 2 the ballot, fold it or insert it in a secrecy envelope as

47 3 required by section 49.84, ~~shall be delivered to a precinct~~
47 4 ~~election official who shall and immediately seal it in an~~
47 5 envelope of the type prescribed by subsection 4. The voter
47 6 ~~shall deliver the sealed envelope to a precinct election~~
47 7 ~~official who shall be deposited deposit it in an envelope~~
47 8 marked "provisional ballots" and, ~~The ballot shall be~~
47 9 considered as having been cast in the special precinct
47 10 established by section 53.20 for purposes of the postelection
47 11 canvass.

47 12 2. Each person who casts a provisional ballot under this
47 13 section shall receive a printed statement in ~~substantially the~~
47 14 ~~following form:~~

47 15 ~~Your qualifications as a registered voter have been~~
47 16 ~~challenged for the following reasons:~~

47 17 ~~I.....~~
47 18 ~~ii.....~~
47 19 ~~iii.....~~

47 20 ~~You must show identification before your ballot can be~~
47 21 ~~counted. Please bring or mail a copy of a current and valid~~
47 22 ~~photo identification card to the county commissioner's office~~
47 23 ~~or bring or mail a copy of one of the following current~~
47 24 ~~documents that show your name and address:~~

- 47 25 ~~a. Utility bill.~~
47 26 ~~b. Bank statement.~~
47 27 ~~c. Paycheck.~~
47 28 ~~d. Government check.~~
47 29 ~~e. Other government document.~~

47 30 ~~Your right to vote will be reviewed by the special precinct~~
47 31 ~~counting board on You have the right and~~
47 32 ~~are encouraged to make a written statement and submit~~
47 33 ~~additional written evidence to this board supporting your~~
47 34 ~~qualifications as a registered voter. This written statement~~
47 35 ~~and evidence may be given to an election official of this~~
48 1 ~~precinct on election day or mailed or delivered to the county~~
48 2 ~~commissioner of elections, but must be received before~~

48 3 ~~... a.m./p.m. on at~~

48 4 ~~... If your ballot is not counted you will receive, by~~
48 5 ~~mail, notification of this fact and the reason that the ballot~~
48 6 ~~was not counted a form prescribed by the state commissioner by~~
48 7 ~~rule adopted in accordance with chapter 17A. The statement~~
48 8 ~~shall contain, at a minimum, the following information:~~

48 9 ~~a. The reason the person is casting a provisional ballot.~~

48 10 ~~b. If the person is casting a provisional ballot because~~
48 11 ~~the person failed to provide a required form of~~
48 12 ~~identification, a list of the types of acceptable~~
48 13 ~~identification and notification that the person must show~~
48 14 ~~identification before the ballot can be counted.~~

48 15 ~~c. If the person is casting a provisional ballot because~~
48 16 ~~the person's qualifications as a registered voter have been~~
48 17 ~~challenged, the allegations contained in the written~~
48 18 ~~challenge, a description of the challenge process, and the~~
48 19 ~~person's right to address the challenge.~~

48 20 ~~d. A statement that if the person's ballot is not counted,~~
48 21 ~~the person will receive, by mail, notification of this fact~~
48 22 ~~and the reason the ballot was not counted.~~

48 23 ~~e. Other information deemed necessary by the state~~
48 24 ~~commissioner.~~

48 25 3. Any eligible elector may present written statements or
48 26 documents, supporting or opposing the counting of any
48 27 provisional ballot, to the precinct election officials on
48 28 election day, until the hour for closing the polls. Any
48 29 statements or documents so presented shall be delivered to the
48 30 commissioner when the election supplies are returned.

48 31 4. The individual envelopes used for each provisional
48 32 ballot cast pursuant to subsection 1 shall have space for the
48 33 voter's name, date of birth, and address and shall have

48 34 printed on them the following:

48 35 I am a United States citizen, at least eighteen years of
49 1 age. I believe I am a registered voter of this county and I
49 2 am eligible to vote in this election. I registered to vote in
49 3 county on or about at My name at that
49 4 time was I have not moved to a different county since
49 5 that time. I am a United States citizen, at least eighteen
49 6 years of age.

49 7
49 8 (signature of voter) (date)

49 9 The following information is to be provided by the precinct
49 10 election official:

49 11 Reason for ~~challenge~~ casting provisional ballot:

49 12
49 13

49 14 ~~Did not present required identification form.~~
49 15
49 16 (signature of precinct
49 17 election official)
49 18 The precinct election official shall attach a completed
49 19 voter registration form from each provisional voter unless the
49 20 person's registration status is listed in the election
49 21 register as active or pending. If a voter is casting a
49 22 provisional ballot because the voter's qualifications as a
49 23 registered voter have been challenged, the precinct election
49 24 official shall attach the signed challenge to the provisional
49 25 ballot envelope.

49 26 DIVISION VI
49 27 GENERAL CHANGES TO ELECTIONS PROVISIONS
49 28 Sec. 89. Section 39A.2, subsection 1, paragraph c, Code
49 29 Supplement 2007, is amended to read as follows:
49 30 c. DURESS. Intimidates, threatens, or coerces, or
49 31 attempts to intimidate, threaten, or coerce, a person to do or
49 32 to refrain from doing any of the following:

49 33 (1) To register to vote, to vote, or to attempt to
49 34 register to vote.
49 35 (2) To urge or aid a person to register to vote, to vote,
50 1 or to attempt to register to vote.
50 2 (2A) To sign a petition nominating a candidate for public
50 3 office or a petition requesting an election for which a
50 4 petition may legally be submitted.

50 5 (3) To exercise a right under chapters 39 through 53.
50 6 Sec. 90. Section 39A.2, subsection 1, Code Supplement
50 7 2007, is amended by adding the following new paragraph:
50 8 NEW PARAGRAPH. f. VOTING EQUIPMENT TAMPERING.
50 9 Intentionally altering or damaging any computer software or
50 10 any physical part of a voting machine, automatic tabulating
50 11 equipment, or any other part of a voting system.
50 12 Sec. 91. Section 49.20, Code 2007, is amended to read as
50 13 follows:

50 14 49.20 COMPENSATION OF MEMBERS.
50 15 The members of election boards shall be deemed temporary
50 16 state employees who are compensated by the county in which
50 17 they serve, and shall receive compensation at a rate
50 18 established by the board of supervisors, which shall be not
50 19 less than ~~three dollars and fifty cents per hour~~ the minimum
50 20 wage established in section 91D.1, subsection 1, paragraph
50 21 "b", while engaged in the discharge of their duties and shall
50 22 be reimbursed for actual and necessary travel expense at a
50 23 rate determined by the board of supervisors, except that
50 24 persons who have advised the commissioner prior to their
50 25 appointment to the election board that they are willing to
50 26 serve without pay at elections conducted for any school
50 27 district or a city of three thousand five hundred or less
50 28 population, shall receive no compensation for service at those
50 29 elections. Compensation shall be paid to members of election
50 30 boards only after the vote has been canvassed and it has been
50 31 determined in the course of the canvass that the election
50 32 record certificate has been properly executed by the election
50 33 board.

50 34 Sec. 92. Section 49.21, Code 2007, is amended to read as
50 35 follows:
51 1 49.21 POLLING PLACES == ACCESSIBILITY == SIGNS.
51 2 1. It is the responsibility of the commissioner to
51 3 designate a polling place for each precinct in the county.
51 4 Each polling place designated shall be accessible to persons
51 5 with disabilities. However, if the commissioner is unable to
51 6 provide an accessible polling place for a precinct, the
51 7 commissioner shall apply for a temporary waiver of the
51 8 accessibility requirement. The state commissioner shall adopt
51 9 rules in accordance with chapter 17A prescribing standards for
51 10 determining whether a polling place is accessible and the
51 11 process for applying for a temporary waiver of accessibility.

51 12 2. a. Upon the application of the commissioner, the
51 13 authority which has control of any buildings or grounds
51 14 supported by taxation under the laws of this state shall make
51 15 available the necessary space therein for the purpose of
51 16 holding elections, without charge for the use thereof.
51 17 b. Except as otherwise provided by law, the polling place
51 18 in each precinct in the state shall be located in a central
51 19 location if a building is available. However, first
51 20 consideration shall be given to the use of public buildings
51 21 supported by taxation.
51 22 ~~In the selection of polling places, preference shall also~~
51 23 ~~be given to the use of buildings accessible to persons who are~~
51 24 ~~elderly and persons with disabilities.~~

51 25 3. a. On the day of an election, the commissioner shall
51 26 post a sign stating "vote here" at the entrance to each
51 27 driveway leading to the building where a polling place is
51 28 located. The sign must be visible from the street or highway
51 29 fronting the driveway, but shall not encroach upon the
51 30 right-of-way of such street or highway.

51 31 b. The commissioner shall post a sign at the entrance to
51 32 the polling place indicating the election precinct number or
51 33 name, and displaying a street map showing the boundaries of
51 34 the precinct.

51 35 Sec. 93. Section 49.25, subsection 1, Code Supplement
52 1 2007, is amended to read as follows:

52 2 1. In any county or portion of a county for which voting
52 3 machines have been acquired under section 52.2 the
52 4 commissioner shall determine pursuant to section 49.26, in
52 5 advance of each election conducted for a city of three
52 6 thousand five hundred or less population, or any school
52 7 district, and individually for each precinct, whether voting
52 8 in that election shall be by machine or by paper ballot. In
52 9 counties in which conventional paper ballots are not used, the
52 10 commissioner shall furnish voting equipment for use by voters
52 11 with disabilities.

52 12 Sec. 94. Section 49.68, Code 2007, is amended to read as
52 13 follows:

52 14 49.68 STATE COMMISSIONER TO FURNISH INSTRUCTIONS.

52 15 1. The state commissioner with the approval of the
52 16 attorney general shall prepare, and from time to time revise,
52 17 written instructions to the voters relative to voting the
52 18 rights of voters, and shall furnish each commissioner with
52 19 copies of the instructions. Such instructions shall cover the
52 20 following matters:

52 21 a. The procedure for registering to vote after the
52 22 registration deadline has passed.

52 23 b. Instructions for voters who are required by law to show
52 24 identification before voting.

52 25 c. General information on voting rights under applicable
52 26 federal and state laws, including the following:

52 27 (1) Information on the right of an individual to cast a
52 28 provisional ballot and the procedure for casting a provisional
52 29 ballot.

52 30 (2) Federal and state laws regarding prohibitions on acts
52 31 of fraud, misrepresentation, coercion, or duress.

52 32 d. Instructions on how to contact the appropriate
52 33 officials if a voter believes the voter's rights have been
52 34 violated.

52 35 2. The state commissioner shall prepare instructions
53 1 relative to voting for each voting system in use in the state
53 2 and shall furnish the county commissioner with copies of the
53 3 instructions. Such instructions shall cover the following
53 4 matters:

53 5 1- a. The manner of obtaining ballots.

53 6 2- b. The manner of marking ballots.

53 7 3- c. That unmarked or improperly marked ballots will not
53 8 be counted.

53 9 4- d. The method of gaining assistance in marking ballots.

53 10 5- e. That any erasures or identification marks, or
53 11 otherwise spoiling or defacing a ballot, will render it
53 12 invalid.

53 13 6- f. Not to vote a spoiled or defaced ballot.

53 14 7- g. How to obtain a new ballot in place of a spoiled or
53 15 defaced one.

53 16 8- h. Any other matters thought necessary.

53 17 Sec. 95. Section 49.70, Code 2007, is amended to read as
53 18 follows:

53 19 49.70 PRECINCT ELECTION OFFICIALS FURNISHED INSTRUCTIONS.

53 20 The commissioner shall cause copies of the foregoing each
53 21 set of instructions to be printed in large, clear type, under
53 22 the heading of "Rights of Voters" and "Instructions for
53 23 Voters" Voting, as applicable, and shall furnish the precinct
53 24 election officials with a sufficient number of such each set
53 25 of instructions as will enable them to comply with section
53 26 49.71.

53 27 Sec. 96. Section 49.71, Code Supplement 2007, is amended
53 28 to read as follows:

53 29 49.71 POSTING INSTRUCTION CARDS AND SAMPLE BALLOTS.

53 30 The precinct election officials, before the opening of the
53 31 polls, shall cause the each set of instructions for voters
53 32 required pursuant to section 49.70 to be securely posted as
53 33 follows:

53 34 1. One At least one copy of the instructions for voting
53 35 prescribed in section 49.68, subsection 2, in each voting

54 1 booth.

54 2 2. ~~Not less than four copies, At least one copy of the~~
54 3 ~~instructions for voting prescribed in section 49.68,~~
54 4 ~~subsection 2, with an equal number of sample ballots, in and~~
54 5 ~~about the polling place.~~

54 6 3. ~~At least one copy of the instructions relating to~~
54 7 ~~rights of voters, as prescribed in section 49.68, subsection~~
54 8 ~~1, in and about the polling place.~~

54 9 Sec. 97. Section 49.73, subsection 1, unnumbered paragraph
54 10 1, Code Supplement 2007, is amended to read as follows:
54 11 At all elections, except as otherwise permitted by this
54 12 section, the polls shall be opened at seven o'clock a.m., or
54 13 ~~as soon thereafter as vacancies on the precinct election board~~
54 14 ~~have been filled if at least one official from each of the~~
54 15 ~~political parties referred to in section 49.13 is present.~~ On
54 16 the basis of voter turnout for recent similar elections and
54 17 factors considered likely to so affect voter turnout for the
54 18 forthcoming election as to justify shortened voting hours for
54 19 that election, the commissioner may direct that the polls be
54 20 opened at twelve o'clock noon for:

54 21 Sec. 98. Section 49.77, subsection 2, Code Supplement
54 22 2007, is amended to read as follows:
54 23 2. ~~One of the precinct election officials shall announce~~
54 24 ~~the voter's name aloud for the benefit of any persons present~~
54 25 ~~pursuant to section 49.104, subsection 2, 3, or 5. If the~~
54 26 ~~declaration of eligibility is not printed on each page of the~~
54 27 ~~election register, any of those persons present pursuant to~~
54 28 ~~section 49.104, subsection 2, 3, or 5, may upon request view~~
54 29 ~~the signed declarations of eligibility and may review the~~
54 30 ~~signed declarations on file so long as the person does not~~
54 31 ~~interfere with the functions of the precinct election~~
54 32 ~~officials. If the declaration of eligibility is printed on~~
54 33 ~~the election register, voters shall also sign a voter roster~~
54 34 ~~which the precinct election official shall make available for~~
54 35 ~~viewing a listing of those voters who have signed declarations~~
55 1 ~~of eligibility. Any of those persons present pursuant to~~
55 2 ~~section 49.104, subsection 2, 3, or 5, may upon request view~~
55 3 ~~the listing roster of those voters who have signed~~
55 4 ~~declarations of eligibility, so long as the person does not~~
55 5 ~~interfere with the functions of the precinct election~~
55 6 ~~officials.~~

55 7 Sec. 99. Section 49.88, Code 2007, is amended to read as
55 8 follows:
55 9 49.88 LIMITATION ON PERSONS IN BOOTH AND TIME FOR VOTING.
55 10 1. No more than one person shall be allowed to occupy any
55 11 voting booth at any time. ~~No person shall occupy such booth~~
55 12 ~~for more than three minutes to cast a vote. Nothing in this~~
55 13 ~~section shall prohibit assistance to voters under section~~
55 14 ~~49.90. The use of cameras, cellular telephones, pagers, or~~
55 15 ~~other electronic communications devices in the voting booth is~~
55 16 ~~prohibited.~~

55 17 2. a. Nothing in this section shall prohibit assistance
55 18 ~~to voters under section 49.90.~~

55 19 b. This section does not prohibit a voter from taking
55 20 minor children into the voting booth with the voter.

55 21 Sec. 100. Section 49.104, Code 2007, is amended by adding
55 22 the following new subsection:
55 23 NEW SUBSECTION. 8. Reporters, photographers, and other
55 24 staff representing the news media. However, representatives
55 25 of the news media, while present at or in the immediate
55 26 vicinity of the polling places, shall not interfere with the
55 27 election process in any way.

55 28 Sec. 101. Section 50.9, Code 2007, is amended to read as
55 29 follows:
55 30 50.9 RETURN OF BALLOTS NOT VOTED.
55 31 Ballots not voted, or spoiled by voters while attempting to
55 32 vote, shall be returned by the precinct election officials to
55 33 the commissioner, and a receipt taken for the ballots. The
55 34 spoiled ballots shall be preserved for twenty-two months
55 35 following elections for federal offices and for six months
56 1 following elections for all other offices. The commissioner
56 2 shall record the number of ballots sent to the polling places
56 3 but not voted. The ballots not voted shall be destroyed after
56 4 the end of the period for contesting the election. However,
56 5 if a contest is requested, the ballots not voted shall be
56 6 preserved until the election contest is concluded.

56 7 Sec. 102. NEW SECTION. 50.15A UNOFFICIAL RESULTS OF
56 8 VOTING == GENERAL ELECTION ONLY.

56 9 1. In order to provide the public with an early source of
56 10 election results before the official canvass of votes, the
56 11 state commissioner of elections, in cooperation with the

56 12 commissioners of elections, shall conduct an unofficial
56 13 canvass of election results following the closing of the polls
56 14 on the day of a general election. The unofficial canvass
56 15 shall report election results for national offices, statewide
56 16 offices, the office of state representative, the office of
56 17 state senator, and other offices or public measures at the
56 18 discretion of the state commissioner of elections.

56 19 2. After the polls close on election day, the commissioner
56 20 of elections shall periodically provide election results to
56 21 the state commissioner of elections as the precincts in the
56 22 county report election results to the commissioner pursuant to
56 23 section 50.11. If the commissioner determines that all
56 24 precincts will not report election results before the office
56 25 is closed, the commissioner shall report the most complete
56 26 results available prior to leaving the office at the time the
56 27 office is closed as provided in section 50.11. The
56 28 commissioner shall specify the number of precincts included in
56 29 the report to the state commissioner of elections.

56 30 The state commissioner of elections shall tabulate
56 31 unofficial election results as the results are received from
56 32 the commissioners of elections and shall periodically make the
56 33 reports of the results available to the public.

56 34 3. Before the day of the general election, the state
56 35 commissioner of elections shall provide a form and
57 1 instructions for reporting unofficial election results
57 2 pursuant to this section.

57 3 Sec. 103. Section 50.49, unnumbered paragraph 4, Code
57 4 2007, is amended to read as follows:

57 5 The petitioners requesting the recount shall post a bond as
57 6 required by section 50.48, subsection 2. The amount of the
57 7 bond shall be one thousand dollars for a public measure
57 8 appearing on the ballot statewide or one hundred dollars for
57 9 any other public measure. If the difference between the
57 10 affirmative and negative votes cast on the public measure is
57 11 less than the greater of fifty votes or one percent of the
57 12 total number of votes cast for and against the question, a
57 13 bond is not required. If approval by sixty percent of the
57 14 votes cast is required for adoption of the public measure, no
57 15 bond is required if the difference between sixty percent of
57 16 the total votes cast for and against the question and the
57 17 number of affirmative votes cast ~~for the losing side~~ is less
57 18 than the greater of fifty votes or one percent of the total
57 19 number of votes cast.

57 20 Sec. 104. Section 53.23, subsection 3, paragraph b, Code
57 21 Supplement 2007, is amended to read as follows:

57 22 b. If the board finds any ballot not enclosed in a secrecy
57 23 envelope and the ballot is folded in such a way that any of
57 24 the votes cast on the ballot are visible, the two special
57 25 precinct election officials, one from each of the two
57 26 political parties referred to in section 49.13, subsection 2,
57 27 shall place the ballot in a secrecy envelope. No one shall
57 28 examine the ballot. ~~Each of the special precinct election~~
~~57 29 officials shall sign the secrecy envelope.~~

57 30 Sec. 105. Section 423A.4, subsection 4, Code Supplement
57 31 2007, is amended to read as follows:

57 32 4. a. A city or county shall impose or repeal a hotel and
57 33 motel tax or increase or reduce the tax rate only after an
57 34 election at which a majority of those voting on the question
57 35 favors imposition, repeal, or change in rate. However, a
58 1 hotel and motel tax shall not be repealed or reduced in rate
58 2 if obligations are outstanding which are payable as provided
58 3 in section 423A.7, unless funds sufficient to pay the
58 4 principal, interest, and premium, if any, on the outstanding
58 5 obligations at and prior to maturity have been properly set
58 6 aside and pledged for that purpose. ~~The election shall be~~
~~58 7 held at the time of the regular city election or the county's~~
~~58 8 general election or at the time of a special election.~~

58 9 b. If the tax applies only within the corporate boundaries
58 10 of a city, only the registered voters of the city shall be
58 11 permitted to vote. The election shall be held at the time of
58 12 the regular city election or at a special election called for
58 13 that purpose. If the tax applies only in the unincorporated
58 14 areas of a county, only the registered voters of the
58 15 unincorporated areas of the county shall be permitted to vote.
58 16 The election shall be held at the time of the general election
58 17 or at a special election called for that purpose.

58 18 DIVISION VII

58 19 LOCAL REDISTRICTING

58 20 Sec. 106. Section 68B.32A, Code Supplement 2007, is
58 21 amended by adding the following new subsection:

58 22 NEW SUBSECTION. 15. Establish an expedited procedure for

58 23 reviewing complaints forwarded by the state commissioner of
58 24 elections to the board for a determination as to whether a
58 25 supervisor district plan adopted pursuant to section 331.210A
58 26 was drawn for improper political reasons as described in
58 27 section 42.4, subsection 5. The expedited procedure shall be
58 28 substantially similar to the process used for other complaints
58 29 filed with the board except that the provisions of section
58 30 68B.32D shall not apply.

58 31 Sec. 107. Section 331.210A, subsection 2, paragraph e,
58 32 Code 2007, is amended to read as follows:

58 33 e. The plan approved by the board of supervisors shall be
58 34 submitted to the state commissioner of elections for approval.

58 35 If the state commissioner or the ethics and campaign

59 1 disclosure board finds that the plan does not meet the
59 2 standards of section 42.4, the state commissioner shall reject
59 3 the plan, and the board of supervisors shall direct the
59 4 commission to prepare and adopt an acceptable plan.

59 5 For purposes of determining whether the standards of
59 6 section 42.4 have been met, an eligible elector may file a
59 7 complaint with the state commissioner of elections within
59 8 fourteen days after a plan is approved by the board of
59 9 supervisors of the county in which the eligible elector
59 10 resides, on a form prescribed by the commissioner, alleging
59 11 that the plan was drawn for improper political reasons as
59 12 described in section 42.4, subsection 5. If a complaint is
59 13 filed with the state commissioner of elections, the state
59 14 commissioner shall forward the complaint to the ethics and
59 15 campaign disclosure board established in section 68B.32 for
59 16 resolution.

59 17 If, after the initial proposed supervisor district plan or
59 18 precinct plan has been submitted to the state commissioner for
59 19 approval, it is necessary for the temporary county
59 20 redistricting commission to make subsequent attempts at
59 21 adopting an acceptable plan, the subsequent plans do not
59 22 require public hearings.

59 23
59 24

59 25
59 26 _____
59 27 PATRICK J. MURPHY
59 28 Speaker of the House
59 29

59 30
59 31 _____
59 32 JOHN P. KIBBIE
59 33 President of the Senate

59 34 I hereby certify that this bill originated in the House and
59 35 is known as House File 2620, Eighty=second General Assembly.

60 1
60 2

60 3
60 4 _____
60 5 MARK BRANDSGARD
60 6 Chief Clerk of the House

60 6 Approved _____, 2008

60 7
60 8

60 9 _____
60 10 CHESTER J. CULVER
60 11 Governor